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S.F. BOARD OF SUPERVISORS

RULES COMMITTEE

MINUTES

The "Minutes" of the Rules Committee consist of entering on the Calendar (Agenda) the actions taken by the Committee.

For meetings where the Minutes are missing, we have included the unmarked Calendar, when available. This will not give the actions taken by the Committee, but will at least give the matters considered at the meeting.

Beginning in 1990, the Budget Analyst prepared Memoranda for many of this Committee's meetings. Those Memoranda are included when available.

NOTE: The "Rules Committee" became the "Rules and Legislation Committee" in April 1982. Its name was changed back to the "Rules Committee" in March 1987.

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1/13/98

CITY AND COUNTY



OF SAN FRANCISCO

DOCUMENTS DEPT.

JAN 15 1998

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**BOARD OF SUPERVISORS
BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

January 9, 1998

TO: Rules Committee

From: Budget Analyst

Subject: January 13, 1998 Rules Committee Meeting

Item 5 - File 56-97-7

Item: Motion amending the Rules of Order of the Board of Supervisors to revise the composition and duties of the Audit Committee of the Board of Supervisors.

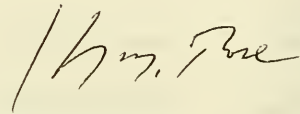
Description: The Rules of Order of the Board of Supervisors currently provide for an Audit Committee, composed of three members of the Board of Supervisors. The proposed motion would amend the Rules of Order, so that the Audit Committee would have five members, as follows: the President of the Board of Supervisors, or another member of the Board of Supervisors appointed by the President, the Chair of the Finance Committee, two members of the public knowledgeable in financial matters and with experience in government financial reporting requirements, and a representative of the Mayor. The two members of the public would be appointed by the Board of Supervisors.

The proposed motion would also amend the list of duties of the Audit Committee to clarify that the Audit Committee should review recommendations of the Controller and of the Budget Analyst contained in their performance audits and management audits if a standing committee of the Board of

Memo to Rules Committee
January 13, 1998 Rules Committee Meeting

Supervisors has not held a hearing and if the Audit Committee deems a hearing to be appropriate. The Rules of Order currently state only that the Audit Committee should review recommendations of the Controller and the Budget Analyst contained in their performance audits and management audits.

Recommendation: Approval of the proposed motion is a policy decision for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Brown
Supervisor Yee
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Matthew Hymel
Stephen Kawa
Ted Lakey

390.84

2

/13/98

C A L E N D A R *Agenda Topics*

DOCUMENTS DEPT.

REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

JAN 15 1998

SAN FRANCISCO
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TUESDAY, JANUARY 13, 1998 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: SUPERVISORS TOM AMMIANO, AMOS BROWN

ABSENT: SUPERVISOR LELAND YEE

CLERK: MARY L. RED

1. File 92-97-46. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointing members to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Nikkie Ho (Seat 26604 - must represent a tenant organization), Maggie LaRue (Seat 26607 - must represent the Mayor's Office of Housing and Child Care), James Threat (Seat 26608 - must represent the Recreation and Park Department), Stacey Samek-Herrera (Seat 26609 - must represent the San Francisco Unified School District), Dianne Velleno (Seat 26610 - must have expertise in State preschools), Michael Miller (Seat 26614 - must have expertise in real estate), and David Tran (Seat 26615 - must have expertise in environmental matters), terms expired August 20, 1997, for new four-year terms ending August 20, 2001. (Clerk of the Board)
(Consideration continued from 12/22/97)

APPLICANTS: Nikkie Ho, succeeding herself (Incumbent)
Dianne C. Velleno, succeeding herself (Incumbent)
Michael Miller, succeeding himself (Incumbent)

7 Seats

3 applicants

ACTION: Hearing held. Appointments of Nikkie Ho, succeeding herself (Seat 26604- must represent a tenant organization), Dianne C. Velleno, succeeding herself (Seat 26610 - must have expertise in State preschools) and Michael Miller, succeeding himself (Seat 26614 - must have expertise in real estate), recommended. (See File 98-0085). Consideration of remaining appointments CONTINUED TO CALL OF THE CHAIR.

File 98-0085. Nikkie Ho, succeeding herself (Seat 26604- must represent a tenant organization), Dianne C. Velleno, succeeding herself (Seat 26610 - must have expertise in State preschools) and Michael Miller, succeeding himself (Seat 26614 - must have expertise in real estate) recommended; terms expired August 20, 1997, for new four-year terms ending August 20, 2001. Residency requirement for Nikkie Ho was waived. Resolution prepared in and reported out of committee entitled, "Appointing members to the Lead Poisoning Prevention Citizens Advisory Committee; and making findings waiving residency requirement". RECOMMENDED.

2. File 92-97-53.1. [Appointment, S.F. Health Authority Governing Body] Resolution appointing two Governing Body members to the San Francisco Health Authority. (San Francisco Health Plan)

APPLICANTS: Sophie Wong, succeeding herself (Seat 50606 – must be nominee of San Francisco Community Clinic Consortium) (Incumbent)
Kate O'Malley, succeeding herself (Seat 50613 – must be nominee of San Francisco Health Authority Program Committee) (Incumbent)

2 Seats

2 applicants

ACTION: CONSIDERATION CONTINUED TO JANUARY 27.

3. File 92-97-56. [Appointment, Bay Area Library and Information System Advisory Board] Hearing to consider appointing member to the Bay Area Library and Information System Advisory Board, succeeding Virginia Gee (Seat 21301 – must represent public at large and underserved residents), term expired December 31, 1997, for a new two-year term ending December 31, 1999. (Clerk of the Board)

APPLICANT: Virginia Gee, succeeding herself (Incumbent)

1 Seat

1 applicant

ACTION: Hearing held. Appointment of Virginia Gee recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Bay Area Library and Information System."
RECOMMENDED.

4. File 54-97-12. [Off Site Board Meeting, March 2, 1998] Motion ordering the March 2, 1998, meeting of the San Francisco Board of Supervisors to be held at the Sunnydale Housing Project Community Center, 1654 Sunnydale, in the Visitacion Valley Community. (Supervisor Ammiano)

ACTION: Hearing held. RECOMMENDED.

5. File 56-97-7. [Rules of Order, Audit Committee] Motion amending the Rules of Order to revise the composition and duties of the Audit Committee of the Board of Supervisors (adds new Rule 6.20; renumbering; repeals Rule 5.7). (Supervisors Kaufman, Leal, Brown, Yaki, Newsom, Katz, Bierman, Medina)

ACTION: Hearing held. Amendment of the Whole (as presented by Supervisor Kaufman's Aide) accepted; amended to allow Committee to elect a Chair and to set terms of two years. Same title. RECOMMENDED AS AMENDED.

6. File 60-97-12. [Voter Fraud Prevention] Hearing to consider ways to minimize voter fraud in upcoming elections, thus protecting the integrity of the elective process. (Supervisor Ammiano)

ACTION: CONSIDERATION CONTINUED TO JANUARY 27.

Note: It is the intention of the Chair to entertain a motion to continue consideration of the following item (File 241-97-1) to the February 10, 1998, meeting:

7. File 241-97-1. [Neighborhood Representation, Boards/Commissions] Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. (Supervisor Ammiano)

ACTION: CONSIDERATION CONTINUED TO FEBRUARY 10.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

8. File 45-97-128. [Lam v. CCSF, et al.] Ordinance authorizing settlement of litigation of Hok Bew Lam against the City and County of San Francisco by payment of \$40,000. (Superior Court No. 978-098.) (City Attorney)

ACTION: RECOMMENDED.

9. File 48-97-78. [Settlement of Claim, Dwight Jauch] Resolution approving the settlement of unlitigated claim of Dwight Jauch by payment of \$30,000.00. (City Attorney)

ACTION: RECOMMENDED.

10. File 49-97-3. [Settlement of Claim, Angelo and Yvonne Sangiacomo] Resolution approving the settlement of unlitigated claim of City and County of San Francisco against Angelo and Yvonne Sangiacomo for \$539,160.25. (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

File No. 285-97-1. [Charter Amendment-Board Members Salary] Charter Amendment (First Draft) amending Charter Section 2.100 to increase the salary of members of the Board of Supervisors from \$23,924 per year to \$39,929. (Supervisor Ammiano), 30-Day Rule expires 1/14/98.

File No. 286-97-1. [Charter Amendment-Loans From State/Federal Govt.] Charter Amendment (First Draft) amending Charter Section 9.111 and adding Section 9.111-1 to authorize the City and County and its commissions to clarify the general authority of the City and County and its commissions to incur and refund any indebtedness and to authorize the City and County and its commissions to enter into cost effective loans or other indebtedness with the State of California or the federal government. (Supervisor Kaufman), 30-Day Rule expires 1/14/98.

File No. 287-97-1. [Charter Amendment-Water Department Revenue Fund] Charter Amendment (First Draft) amending Charter Section 16.103 thereof and adding Section 16.103-1 thereto, to (1) establish a separate revenue fund for the deposit of revenues generated from the Water Department, and (2) provide a priority schedule for expenditures paid from this fund. (Supervisor Kaufman), 30-Day Rule expires 1/14/98.



CITY AND COUNTY

OF SAN FRANCISCO

**BOARD OF SUPERVISORS
BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

January 23, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of*

SUBJECT: January 27, 1997 Rules Committee Meeting

Item 7- File 285-97-1

**Proposed Ballot
Measure:**

Charter Amendment amending Section 2.100 to increase the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585 per year.

Draft: Second

Sections Affected: Section 2.100

Description:

The Board of Supervisors consists of 11 members who are currently elected at large. The annual salary level of \$23,924 for each of the eleven members of the Board of Supervisors was established in November of 1982. This salary was approved by the San Francisco voters in the November 2, 1982 General Election. To date, this salary level has remained unchanged.

The proposed Charter Amendment would increase the Board of Supervisors' annual salary from \$23,924 to \$37,585, an increase of \$13,661 or 57.1 percent. This proposed annual salary increase is consistent with increases in the Consumer Price Index (CPI) for the San Francisco Bay Area, as published by the U.S. Department

of Labor, Bureau of Labor Statistics from December of 1982 through November of 1997. This CPI factor excludes increases resulting from housing costs.

Comments:

If the Board of Supervisors salary level had been indexed to increases in the San Francisco Bay Area CPI for all factors from December of 1982 through October of 1987, the Board of Supervisors salary would increase to \$39,929, an increase of 66.9 percent. However, if the Board of Supervisors salary level were indexed to increases in the San Francisco Bay Area CPI for all factors except housing costs, as is being proposed, from December of 1982 through November of 1997, the Board of Supervisors annual salary would be set at \$37,585.

**Effects on the Cost
Of Government:**

As previously stated, the proposed Charter Amendment would increase each member of the Board of Supervisors annual salary from \$23,924 to \$37,585, an increase of \$13,661 per year. Based on the 11 members on the Board, the total cost increase would be \$150,271 annually, as shown in the Attachment provided by the Controller's Office.

Recommendation:

Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.



CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER

Edward Harrington
Controller

John W. Madden
Chief Assistant Controller

Attachment

January 21, 1998

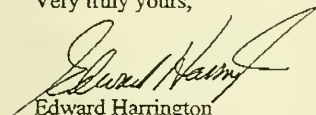
John L. Taylor, Clerk of the Board
Board of Supervisors
City & County of San Francisco
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

Re: File No. 285-97-1 Proposed charter amendment relating to Board Member salaries

Dear Mr. Taylor:

Should the proposed charter amendment be approved by the voters, in my opinion, it could increase the cost of government by \$150,271 per year.

Very truly yours,



Edward Harrington
Controller

Char698.1

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 8 - File 286-97-1

**Proposed Ballot
Measure:**

Charter Amendment amending Section 9.111 and adding Section 9.111-1 to authorize the City to clarify the general authority of the City and County and its commissions to incur and refund any indebtedness and to authorize the City and County and its commissions to enter into cost-effective loans or other indebtedness with the State of California or the Federal government. Under the proposed Charter Amendment, all loans or other indebtedness must (a) be used for projects that protect, preserve or enhance water resources or the environment; (b) be the most cost-effective method of financing a project; and (c) be subject to the approval of the Board of Supervisors. Such loans or other indebtedness also (a) cannot increase the amount of voter approved debt; or (b) in the case of a refinancing of Revenue or General Obligation bonds, must result in net debt service savings to the City and County.

Draft: Second

Sections Affected: Section 9.111 and Section 9.111-1

Description: Currently, Charter Section 9.111 states that the City and County and its commissions have the authority to incur and refund bonded indebtedness, pursuant to State law, when such bonded indebtedness is created or refunded by the City. The proposed Charter Amendment would delete the word "bonded" in Charter Section 9.111. According to Ms. Monique Moyer of the Mayor's Office, deleting the word "bonded" will enable the City to enter into other type of indebtedness or financing arrangements, such as loans or grants.

The proposed Charter Amendment would also create a new Section 9.111-1, entitled Environment Protection Loans. This new Section would state that the City has the authority to enter into loans (or other indebtedness) directly or indirectly with, or have any of its indebtedness guaranteed or subsidized by the State of California or the U.S. Government, if such indebtedness complies with the following provisions:

1. The proceeds must be used for projects which protect, preserve or enhance water resources or the environment;
2. The indebtedness must be the most cost-effective method of financing a project;
3. The indebtedness must be subject to the approval of the Board of Supervisors; and
- 4(i) The indebtedness cannot increase the amount of voter-approved debt; or
- (ii) In the refinancing of Revenue or General Obligation bonds, the indebtedness must result in net debt service savings to the City, as calculated and provided by ordinance.

In accordance with the proposed Charter Amendment, the determination of the most cost-effective method of financing must be certified by the Controller.

Comments:

1. According to Ms. Moyer, the State of California has established a low-interest loan program for local governments to pay for capital expenditures relating to wastewater treatment plants and water reclamation and recycling programs. These State loans are currently available for a term of 20 years and the interest rate is presently 2.7%, which equals one-half of the State's current General Obligation Bond rate of 5.4 percent. Ms. Moyer reports that if the City were to use these low-interest rate State loans to pay for such capital improvements, instead of the Public Utilities Commission (PUC) issuing Clean Water Program Sewer Revenue Bonds, the City's debt costs would be substantially reduced, which in turn would minimize increases to the City's Sewer Service Charges, paid by San Francisco residents.

2. For example, as shown below, if the PUC secured a \$50 million loan from the State for a period of 20 years at an interest rate of 2.7 percent, instead of issuing PUC Clean Water Program Sewer Revenue Bonds of \$50 million for a period of 30 years at 5.1 percent (the weighted average rate during the last three to four years), the City would save approximately \$34 million, or approximately 34 percent in the debt service costs over a 30-year period.

Memo to Rules Committee
January 27, 1998 Rules Committee Meeting

	\$50 Million <u>State Loan</u>	\$50 Million <u>Revenue Bond</u>	Savings From State Loan Instead of <u>Revenue Bond</u>
Average Annual Debt Service (Years 1 through 20)	\$3,268,170*	\$3,368,417*	\$100,247
Average Annual Debt Service (Years 21 through 30)	0	\$3,368,417*	\$3,368,417
Lifetime Debt Service Cost	\$65,363,405	\$99,368,308	\$34,004,903

*Represents the average annual debt service, since the actual interest and principal amounts vary every year.

As shown in the table above, the total savings to the City would be \$34,004,903 by using low-interest State loan funds instead of using PUC Clean Water Program Revenue Bonds.

3. According to Mr. Steven Carmichael of the PUC, the old City Charter provided the authority to the Department of Public Works (DPW), which previously managed the Clean Water Program, to secure low-interest State loans, as is currently proposed in this Charter Amendment. However, Mr. Carmichael reports that when the new City Charter was approved in 1996, the new Charter inadvertently omitted provisions for the City to enter into such loans with the State. In fact, Mr. Carmichael reports that the PUC's Clean Water Program currently has over \$200 million of low-interest loans with the State of California, which were secured prior to the change in the City's Charter. According to Mr. Carmichael, the proposed Charter Amendment would simply reinstate this authorization for the PUC to secure low-interest loans from the State or Federal Governments, when it is determined to be the most cost-effective financing method.

4. Under the proposed Charter Amendment, the voters of San Francisco would still be required to authorize bond issues or other long-term financing mechanisms for new capital improvement projects. However, Ms. Moyer

reports that the proposed Charter Amendment would allow the PUC, or other City Departments, to then participate in the State's low-interest loan program instead of issuing bonds. Under the proposed Charter Amendment, such State loan funds would be subject to the approval of the Board of Supervisors.

5. Ms. Moyer reports that the State is also currently considering establishing a similar low-interest loan program to provide low-cost funds to pay for drinking water projects, in addition to the current sewer or wastewater treatment projects.

**Effects on the Cost
Of Government:**

The proposed Charter Amendment states that the City could enter into State or Federal Government loans only if such indebtedness is the most cost-effective method of financing a project, as determined by the Controller's Office. As shown in the Attachment, according to the Controller's Office, approval of the proposed Charter Amendment should decrease the cost of government in an amount that cannot be determined at this time.

Recommendation:

Approve the proposed Charter Amendment.



CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER

Edward Harrington
Controller

John W. Madden
Chief Assistant Controller

Attachment

January 21, 1998

John L. Taylor, Clerk of the Board
Board of Supervisors
City & County of San Francisco
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

Re: File No. 285-97-1 Proposed charter amendment relating to Environmental Protection
loans and other indebtedness from Federal and State Government

Dear Mr. Taylor:

Should the proposed charter amendment be approved by the voters, in my opinion, it should decrease the cost of government in an amount that cannot be determined at this time.

This amendment does not increase the amount which may be borrowed by the City. It only allows the City to borrow money from the State or Federal government if the cost is lower than the cost of issuing bonds which have been previously approved by the voters.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Edward Harrington", written over a horizontal line.

Edward Harrington
Controller

Char698.2

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 9 - File 287-97-1

Proposed Ballot

Measure:

Charter Amendment amending Section 16.103 relating to the Utility Revenues and Expenditures and adding Section 16.103-1 to (1) establish a separate Revenue Fund for the deposit of revenues generated from the Water Department and (2) provide a priority schedule for expenditures paid from such Fund which is consistent with provisions of outstanding Water Department Revenue Bonds.

Draft:

Second

Sections Affected:

Section 16.103

Description:

In Section 6.407-1 of the 1932 Charter, relating to Utility Revenues and Expenditures and Water Department Revenues, there were separate Funds for each utility operated by the Public Utilities Commission (i.e. the Water Department, Hetch Hetchy and the Clean Water Program), each with different priority schedules. During the 1996 Charter Reform, the receipts from all utilities were consolidated into a single Fund and expended for specific purposes under the same priority schedule as follows:

(1) the payment of operating expenses, pension charges and proportionate payments to such compensation and other insurance and accident reserve funds as the Commission may establish or the Board of Supervisors may require;

(2) repairs and maintenance;

(3) reconstruction and replacements due to physical and functional depreciation of each of the utilities under the jurisdiction of the Commission;

(4) the payment of interest and sinking funds on the bonds issued for acquisition, construction or extension;

(5) extensions and improvements; and

(6) a surplus fund.

As reflected above, the expenditure schedule for the repayment of Water Department revenue bonds is the fourth

priority use of revenues. However, this priority schedule is inconsistent with the Water Department's agreements with its bondholders, under which repayment of revenue bonds is the third priority use of revenues. As a result, any new revenue bonds issued by the Water Department are considered subordinate, or junior, to outstanding bonds because the repayment of the new revenue bonds is a lower priority than repayment of the outstanding bonds. According to Ms. Monique Moyer of the Mayor's Office, this will result in bondholders demanding a higher interest rate on the new bonds, thereby increasing the costs to the Water Department and ratepayers (see Comment).

The proposed Charter Amendment would repeal the priority schedule that was established in the 1996 Charter reform and re-instate language from the old Charter Section 6.407-1 relating to Utility Revenues and Expenditures and Water Department Revenues. According to Ms. Moyer, the proposed Charter Amendment would make the priority use of Water Department Revenues consistent with existing agreements with bondholders, so that new bondholders have the same priority as existing bondholders with respect to the application of Water Department revenues. Specifically, the proposed Charter Amendment would:

- Remove the 1996 Charter provisions for priority use of funds from Section 16.103;
- Change the title of Charter Section 16.103 from "Utility Revenues and Expenditures" to "Surplus Utility Revenues" and add the following introductory statement: "The determination and application of surplus funds of any utility under the jurisdiction of the Public Utilities Commission shall be as follows:"; and
- Add the following section which re-instates language from the 1932 Charter relating to the deposit of and the priority schedule for Water Department Revenues:

Section 16.103-1: Water Department Revenue Fund

(a) Subject to the budget and fiscal provisions of this Charter, the entire gross revenue of the Water

Department shall be set aside and deposited into a Fund in the City and County treasury to be known as the "Water Department Revenue Fund." All amounts paid into this Fund shall be maintained by the Treasurer separate and apart from all other City and County Funds and shall be secured by the Treasurer's official bond or bonds. Separate accounts shall be kept of this Fund with respect to receipts and disbursements.

(b) Monies in the Water Department Revenue Fund, including earnings thereon, shall be appropriated, transferred, expended or used for the following purposes pertaining to the financing, maintenance and operation of the Water Department and related facilities owned, operated or controlled by the Commission and only in accordance with the following priority:

(1) the payment of operation and maintenance expenses for such utility and related facilities;

(2) the payment of pension charges and proportionate payments to such compensation and other insurance or outside reserve funds as the Commission may establish or the Board of Supervisors may require with respect to employees of the Commission;

(3) the payment of principal, interest, reserve, sinking fund, and other mandatory funds created to secure revenue bonds heretofore or hereafter issued by the Commission for the acquisition, construction or extension of Water Department or related facilities owned, operated or controlled by the Commission;

(4) the payment of principal and interest on general obligation bonds heretofore or hereafter issued by the City and County for Water Department purposes;

(5) reconstruction and replacement as determined by the Commission;

(6) the acquisition of land, real property or interest in real property for, and the acquisition, construction, enlargement and improvement of new and existing buildings, structures, facilities, equipment, appliances

and other property necessary or convenient to the development or improvement of such utility owned, controlled or operated by the Commission; and for any other lawful purpose of the Commission including the transfer of surplus funds pursuant to Section 16.103.

As reflected above, the expenditure schedule for the repayment of Water Department revenue bonds would become the third priority under the proposed Charter Amendment, consistent with the Water Department's agreements with its bondholders.

Comment:

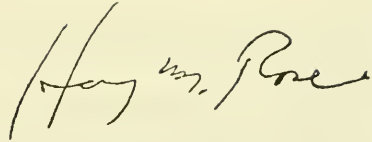
According to Ms. Moyer, without the proposed Charter Amendment, any new bonds of the Water Department, including the \$157 million Water System Reliability and Seismic Safety Bonds (Proposition A) and the \$147 million Safe Drinking Water Bonds (Proposition B), for a total of \$304 million, which were approved by the electorate in the November 4, 1997 election, will have to be issued as subordinate lien bonds. Ms. Moyer advises that the municipal bond market would therefore assess the Water Department an interest rate premium of one-quarter of one percent or 0.25 percent (based on a ten-year historical average). Attachment I, provided by Ms. Moyer, is a table demonstrating the savings on the Proposition A and Proposition B Bonds if the proposed Charter Amendment is approved. As shown in Attachment I, the total estimated savings in debt service payments related to the Proposition A and B Bonds would be \$579,659 annually. Additionally, Attachment I shows that there would be savings in interest costs of \$28,278,164 over the 30 year lifetime of the bonds.

**Effect on the Cost
of Government:**

The Controller reports that the proposed Charter Amendment would result in a reduction in the cost of government to water rate payers. The Controller's statement, shown in Attachment II to this report, estimates that there would be an average savings of \$580,000 annually and \$28 million over the life of the Water bonds. The Budget Analyst concurs with the Controller's estimate

Recommendation: Approve the submission of the proposed Charter Amendment.

Memo to Rules Committee
January 27, 1998 Rules Committee Meeting

A handwritten signature in dark ink, appearing to read "Harvey M. Rose". The signature is fluid and cursive, with the first name "Harvey" being the most prominent part.

Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Brown
Supervisor Yee
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Matthew Hymel
Stephen Kawa
Ted Lakey

[Numerical Analysis of Proposed Charter Amendments for PUC]

Proposition __, Charter Amendment [Flow of Funds, Water Department]

Proposition __ seeks voter approval to restore, in the current Charter, language from the 1932 Charter relating to the establishment of a separate revenue fund and expenditure priority schedule for the Water Department.

This proposal is consistent with the Water Department's contract with existing bond holders. By virtue of the issuance of the San Francisco Water Revenue Bonds, 1996 Series A (and other currently outstanding Water Revenue Bonds), the Water Department has covenanted with bond holders to maintain a separate revenue fund and an expenditure priority schedule through the final term of the bonds which is stated as November 1, 2026.

The current Charter prioritizes revenue bond repayment as the 4th claim on revenues; however, the 1932 Charter, and the existing Water Revenue Bond contract, prioritize revenue bond repayment as the 3rd claim on revenues. Unless this Charter Amendment is implemented, new bond holders will have a lien on revenues that is junior to the lien of existing bond holders.

Without this Charter Amendment any new bonds of the Water Department, including the \$157 million Water System Reliability and Seismic Safety Bonds (Proposition A) and the \$147 million Safe Drinking Water Bonds (Proposition B), will have to be issued as subordinate lien bonds. The municipal bond market would assess the Water Department an interest rate premium of ¼ of 1% (based on a ten-year historical average). The impact to the Proposition A and Proposition B Bonds would be as follows:

	Water System Reliability and Seismic Safety Bonds (Prop. A)	Safe Drinking Water Bonds (Prop. B)
Average Annual Debt Service		
Without Charter Amendment:	\$12,201,735	\$11,424,737
With Charter Amendment:	<u>11,902,385</u>	<u>11,144,428</u>
Annual Savings from Charter Amendment:	<u>\$299,350</u> ¹	<u>\$280,309</u> ¹
Lifetime Interest Cost		
Without Charter Amendment:	\$209,052,045	\$195,742,095
With Charter Amendment:	<u>194,450,360</u>	<u>182,065,616</u>
Lifetime Savings from Charter Amendment:	<u>\$14,601,685</u> ²	<u>\$13,676,479</u> ²

As documented in the above table, this Charter Amendment would reduce interest costs by approximately 7% or approximately \$28.3 million over the life of the Proposition A and B Bonds.

¹ Sum is \$579,659.

² Sum is \$28,278,164.

Edward Harrington
ControllerJohn W. Madden
Chief Assistant Controller

January 22, 1998

John L. Taylor, Clerk of the Board
Board of Supervisors
City & County of San Francisco
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

Re: File No. 285-97-1 Proposed charter amendment relating to Water Revenue Fund

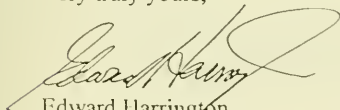
Dear Mr. Taylor:

Should the proposed charter amendment be approved by the voters, in my opinion, it should reduce the cost of government to water rate payers.

The current charter language is not consistent with the language of bonds issued under the old charter. The old charter put the repayment of debt as the third highest priority for water revenue, after paying for operations, maintenance and pension expenses. The new charter also puts paying for repairs, maintenance and reconstruction and replacement of assets ahead of making bond debt payments. Therefore any bonds we issue under this new language would have a lower ranking for bond buyers and be harder to sell than old bonds.

Bond experts estimate this lower ranking would cost the City an additional one-quarter of one percent (.25%) in the interest rate we would pay on bonds. On the recently approved \$300 million of water bonds, this change would result in average savings of \$580,000 annually and \$ 28 million over the life of the bonds.

Very truly yours,


Edward Harrington
Controller

Char698.3

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.



ACTION: Hearing held. Appointment of Jeffrey Beane, M.D. recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Long-Term Care Pilot Project Task Force" **RECOMMENDED.**

4. File 98-0049. [Appointment, Lead Poisoning Prev. Cit. Advis. Cmte.] Hearing to consider appointing member to the Lead Poisoning Prevention Citizens Advisory Committee, succeeding Giulio Francesconi (Seat 26611--must have expertise in residential multi-dwellings), resigned, for the unexpired portion of a four-year term ending August 20, 2000. (Clerk of the Board)

APPLICANT: Jean Wright

1 Seat/1 applicant

ACTION: Hearing held. Appointment of Jean Wright recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Lead Poisoning Prevention Citizens Advisory Committee"

5. File 60-97-12. [Voter Fraud Prevention] Hearing to consider ways to minimize voter fraud in upcoming elections, thus protecting the integrity of the elective process. (Supervisor Ammiano)
(Continued from 1/13)

ACTION: Hearing held. Consideration continued to call of the chair. (Supervisor Brown dissenting)

6. File 56-97-8. [Rules of Order, State/Federal Legislation] Motion amending the Rules of Order to provide that copies of proposed State and Federal legislation shall be submitted with proposed resolution which would support or oppose such legislation (add Rule 2.34). (Supervisor Newsom)

ACTION: Hearing held. RECOMMENDED.

7. File 285-97-1. [Charter Amendment--Board Members Salary] Charter Amendment (Second Draft) amending Charter Section 2.100 to increase the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. (Supervisor Ammiano)

ACTION: Hearing held. Second Draft recommended to Board "Do Submit".

8. File 286-97-1. [Charter Amendment--Loans From State/Federal Govt.] Charter Amendment (Second Draft) amending Charter Section 9.111 and adding Section 9.111-1 to authorize the City and County and its commissions to clarify the general authority of the City and County and its commissions to incur and refund any indebtedness and to authorize the City and County and its commissions to enter into cost effective loans or other indebtedness with the State of California or the federal government under certain circumstances. (Supervisor Kaufman)

ACTION: Hearing held. Second Draft recommended to Board "Do Submit".

9. File 287-97-1. [Charter Amendment--Water Department Revenue Fund] Charter Amendment (Second Draft) amending Charter Section 16.103 thereof and adding Section 16.103-1 thereto, to (1) establish a separate revenue fund for the deposit of revenues generated from the Water Department, and (2) provide a priority schedule for expenditures paid from this fund. (Supervisor Kaufman)

ACTION: Hearing held. Second Draft recommended to Board "Do Submit".

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

10. File 98-0017. [M.L.D.K., Inc. v. CCSF, et al.] Ordinance authorizing settlement of litigation of M.L.D.K., Inc., against the City and County of San Francisco by recognizing a reduction of business taxes due by \$127,770.22. (Superior Court No. 984697). (City Attorney)

ACTION: RECOMMENDED.

11. File 98-0053. [United States, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of United States, et al., against the City and County of San Francisco by payment of \$141,886.00. (Federal District Court, No. C-84-7089 MHP). (City Attorney)

ACTION: RECOMMENDED.

12. File 98-0054. [Leroy and Katherine Looper v. CCSF] Ordinance authorizing settlement of litigation of Leroy and Katherine Looper against the City and County of San Francisco by payment of \$150,000.00. (Superior Court No. 975-683). (City Attorney)

ACTION: RECOMMENDED.

13. File 98-0082. [Clifford Washington, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Clifford Washington, et al., against the City and County of San Francisco by payment of \$320,000. (Superior Court No. 969-668). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:



CALENDAR

Rules Committee Board of Supervisors City and County of San Francisco

DOCUMENTS DEPT

FEB 06 1998

RECEIVED 10
FEB 10 1998

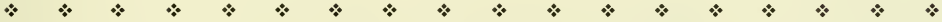
SPECIAL MEETING

MONDAY, FEBRUARY 9, 1998, 1:30 P.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Tom Ammiano, Amos Brown, Leland Yee

CLERK: Mary L. Red



Disability Access



Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.



There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.



Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 308 staff.

The following services are available on request 48 hours prior to the meeting or hearing:

- ❖ For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
- ❖ For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-4851.

1. File 98-0197. [Board Committees] Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.7 and amending Rule 5.5 in order to create a new standing committee, the Parks and Recreation Committee. (Supervisor Kaufman)

ACTION:

NOTE: The Chair intends to entertain a motion to send this item to the full Board as a Committee Report on February 9.

RULES COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 308
SAN FRANCISCO, CA 94102

**IMPORTANT
HEARING NOTICE**

S.F. BOARD OF SUPERVISORS

RULES COMMITTEE

MINUTES

February 9, 1998

The Minutes of this meeting are missing.



SF
S90.84
#4
2/10/98
2/24/98
c 2

INTER-OFFICE MEMORANDUM
CLERK'S OFFICE — BOARD OF SUPERVISORS

FEBRUARY 12, 1998

DOCUMENTS DEPT.

FEB 19 1998

SAN FRANCISCO
PUBLIC LIBRARY

TO: SUPERVISOR TOM AMMIANO, CHAIR
RULES COMMITTEE

FROM: MARY L. RED, CLERK

SUBJECT: PENDING LIST

MEETING DATES: FEBRUARY 10, 1998
FEBRUARY 24, 1998

NOTE: RULE 5.37. FILING OF INACTIVE MATTERS

*Pursuant to Rule 5.37, the items denoted with an asterisk have been inactive in Committee for five consecutive months; unless the item is heard the following month, it is deemed to be inactive and shall be filed by the Clerk.

APPOINTMENTS

1. File 92-95-35. [Appointments, CCPPSS Task Force] Hearing to consider appointing ten voting members and three non-voting members to the Comprehensive Community Policing and Public Safety Strategy Task Force. (Clerk of the Board)

STATUS: [9/18/95] – Awaiting Committee action. 1/31/96 – Vacancy notice posted and mailed.

6/24/97 – Hearing held. Appointment of Michael T. Ege (Seat 29708 – nominee of Supervisor Yee, public at large), for term ending September 1, 2000, recommended. (See File 92-95-35.1.) Consideration of remaining appointments continued to the Call of the Chair (Seat 29701 – nominee of Supervisor Kaufman from Ingleside, District H; Seat 29702 – nominee of Supervisor Newsom from Potrero, District C; Seat 29703 – nominee of Supervisor Medina from Central, District A; Seat 29704 – nominee of Supervisor Katz from Tenderloin, District J; Seat 29705 – nominee of Supervisor Bierman from Richmond, District G; Seat 29706 – nominee of Supervisor Teng from Park, District F; Seat 29707 – nominee of Supervisor Yaki from Taraval, District I; Seat 29709 – nominee of Supervisor Brown from Northern, District E; Seat 29710 – nominee of Supervisor Ammiano from Mission, District D; Seat 29711, nominee of Supervisor Leal from Southern, District B; and Seats 29719, 29720 and 29721 – members of the Board of Supervisors).

2. File 92-96-29. [Appointment, National Blue Ribbon Service Commission] Hearing to consider appointments to the National Blue Ribbon Service Commission, Peter Gabel (Seat 20401, Supervisor Leal); Jim Salinas (Seat 20402, Supervisor Alioto); Agar Jaicks (Seat 20403, Supervisor Bierman); Lauri Irving (Seat 20405, Supervisor Yaki); Jason K. Wong (Seat 20406, Supervisor Hsieh); Argentina Davilla Luevano (Seat 20407, Supervisor Kaufman); Sabrina Saunders (Seat 20408, Supervisor Katz); Robert Chan (Seat 20409, Supervisor Ammiano); Sid Smith (Seat 20411, Supervisor Newsom); Carl L. Williams (Seat 20412, Board of Supervisors, at-large member); Ethel S. Newlin (Seat 20413, Board of Supervisors, at-large member); Michael Ma (Seat 20414, Board of Supervisors, at-large member); Sam Lawson (Seat 20415, Board of Supervisors, at-large member); Seat Vacant (Seat 20416, Mayor, non-voting member); Seat Vacant (Seat 20417, CAO, non-voting member); Sandra Edwards (Seat 20418, Board of Supervisors, at-large member); succeeding Rene Velasquez (deceased) (Seat 20419, Board of Supervisors, at-large member); Steve Williams (Seat 20420, Board of Supervisors - at-large member); Carole S. Cullum (Seat 20421, Board of Supervisors, at-large member), terms expired June 30, 1995, for three-year terms and ending June 30, 1998; see File 92-96-29.1. (Clerk of the Board)

STATUS: [6/3/96] - Awaiting Committee action.

3. File 92-96-32. [Appointments, Hazardous Materials Advisory Cmte.] Hearing to consider appointing members to the Hazardous Materials Advisory Committee, Seat Vacant (Seat 22605, must be epidemiologist) and Steven Medbery (Seat 22618, Dept. of Public Works) for new four-year terms beginning July 1, 1996 and ending July 1, 2000; see Files 92-96-32.1, 92-96-32.2, and 92-96-32.3. (Clerk of the Board)

STATUS: [6/3/96] - Awaiting Committee action. 6/4/96 - Hearing held. Appointment for Seat 22621 recommended. Remainder continued to the Call of the Chair. 6/18/96 - Hearing held. Appointment for Seat 22603 recommended. 9/17/96 - Hearing held. Appointment of Seat 22614 recommended. Seats 22605 and 22618 CONTINUED TO THE CALL OF THE CHAIR.

4. File 92-96-45. [Appointments, Airport Noise Committee] Hearing to consider appointments to the Airport Noise Committee, succeeding David Wilson (Seat 20501, SFIA); succeeding Stuart Sunshine (Seat 20502, nominee of Mayor); succeeding Ben Gale (Seat 20503, Dept. of Public Health); succeeding William Arietta (Seat 20504, Police Dept.); succeeding Theodore Pederson (Seat 20505, Dept. of Public Works); succeeding Barbara Sahn (Seat 20506, Dept. of City Planning); succeeding Don Bertone (Seat 20508, Supervisor Medina); succeeding Charles Kroupa (Seat 20510, Supervisor Leal); succeeding Aurea Luis-Carnes (Seat 20514, Supervisor Katz); succeeding David Bisho (Seat 20516, Supervisor Teng); terms expired September 30, 1996, for new three-year terms beginning September 30, 1996 and ending September 30, 1999. (Clerk of the Board)

STATUS: [9/3/96] - Awaiting Committee action. 12/9/97 - Hearing held. Appointment of Curt Holzinger, succeeding Don Bertone (Seat 20508, nominee of Supervisor Medina) recommended. (See File 92-96-45.4.) Consideration of remaining appointments continued to the Call of the Chair.

5. File 92-96-46. [Appointment, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointment to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Ana Shul (Seat 26619, low-income advocate), term expired August 20, 1996, for new four-year term ending August 20, 2000, see Files 92-96-46.1, 92-96-46.2, and 92-96-46.3. (Clerk of the Board)

STATUS: 5/20/97 – Hearing held. Appointment of Carla Furtado (succeeding Elise Stone, Seat 26616, health educator) recommended. (See File 92-96-46.3.) Consideration of remaining appointment continued to the Call of the Chair (succeeding Ana Shul, Seat 26619, low-income advocate).

6. File 92-96-47. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointments to the Lead Poisoning Prevention Citizens Advisory Committee, succeeding Silen Nhok (Seat 26618, must be language specialist), resigned, for unexpired portion of four-year term ending August 20, 1997, and succeeding Carmela Rombawa-Bey (Seat 26621, expertise in non-profit clinics), resigned, for unexpired portion of four-year term ending August 20, 1999. (Clerk of the Board)

STATUS: [9/3/96] – Awaiting Committee action. 8/23/96 – Vacancy notice posted.

7. File 92-96-53. [Appointments, Hazardous Materials Advisory Committee] Hearing to consider appointments to the Hazardous Materials Advisory Committee succeeding Aurea Luis-Carnes (Seat 22602, must represent environmental industry), resigned, for the unexpired portion of the four-year term ending July 1, 1998; and succeeding Kathleen Kahler (Seat 22606, must be health educator), resigned, for the unexpired portion of the four-year term ending July 1, 1998. (Clerk of the Board)

STATUS: [10/15/96] – Awaiting Committee action.

8. File 92-96-59. [Central Freeway Citizens Advisory Task Force] Hearing to consider resignation of Linda Salas as a member of the Central Freeway Advisory Task Force effective November 2, 1996. (Clerk of the Board)

STATUS: [11/12/96] – Awaiting Committee action.

9. File 92-97-4. [Appointment, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointment of member to the Lead Poisoning Prevention Citizens Advisory Committee, succeeding Karen Huggins (26625 – must represent public housing tenants), term expired August 20, 1997, for new four-year term ending August 20, 2001. (Clerk of the Board)

STATUS: [2/18/97] – Awaiting Committee action.
(2/14/97 – Vacancy Notice Posted.)
2/25/97 – Hearing held. Appointments of Loretta Krueger (Seat 22617, succeeding Amy Vanacore) and Maria Luz Torre (Seat 26623, succeeding Tracy Brown) recommended. Consideration of remaining appointment continued to the Call of the Chair (succeeding Karen Huggins (Seat 22625).

10. File 92-97-8. [Appointments, Child Care Planning and Advisory Council] Hearing to consider appointment of one (1) initial member to the Child Care Planning and Advisory Council. (Clerk of the Board)

STATUS: [3/17/97] - Awaiting Committee action.
10/14/97 - Hearing held. Appointment of Philip Tse (Seat 29622) recommended for a term to be determined by lot. (See File 92-97-8.5.) Consideration of remaining appointment continued to the Call of the Chair (Seat 29621 - Client of Publicly Subsidized Child Care Program).

11. File 92-97-12. [Appointment, Telecommunications Policy Committee] Hearing to consider appointing members to the Telecommunications Policy Committee, succeeding Sue Levitin (Seat No. 21601 - representative of the Cable Television Franchise holder [TCI]); succeeding George E. McBride (Seat No. 21602 - representative of a City Agency [Library]); succeeding Owen Seitel (Seat 21603 - representative of public at large); succeeding Zane G. Blaney (Seat 21604 - representative of public at large), terms expired February 1, 1997, for new two-year term ending February 1, 1999. (Clerk of the Board)

STATUS: [4/7/97] - Awaiting Committee action.

THERE IS NOW A TELECOMMUNICATIONS COMMISSION

12. File 92-97-16. [Appointment, Citizens Advisory Commission on Elections] Hearing to consider the nomination of member to the Citizens Advisory Committee on Elections for appointment by the Mayor, succeeding George Mix (Seat 30104), term expired May 16, 1997, for new four-year term ending May 16, 2001. (Clerk of the Board)

STATUS: [4/14/97] - Awaiting Committee action.
6/10/97 - Hearing held. Appointments of Christopher L. Bowman, succeeding himself (Seat 30105), and Samson W. Wong, succeeding himself (Seat 30106) recommended. (See File 92-97-16.1.) Consideration of remaining appointment continued to the Call of the Chair (succeeding George Mix, Seat 30104).

13. File 92-97-25. [Appointments, Hazardous Materials Advisory Committee] Hearing to consider appointing members to the Hazardous Materials Advisory Committee succeeding Frank Donahue (Seat 22607 - must represent neighborhood organization); and succeeding Edward R. Fowlie (Seat 22611 - must represent labor), terms expired July 1, 1997, for new four-year terms ending July 1, 2001. (Clerk of the Board)

STATUS: [6/2/97] - Awaiting Committee action.
12/9/97 - Hearing held. Appointment of Ross A. Tibbits, succeeding Thomas Bernard (Seat 22620 - open seat, no requirement) recommended. (See File 92-97-25.2.) Consideration of remaining appointments continued to the Call of the Chair (succeeding Frank Donahue [Seat 22607 - must represent neighborhood organization]; and Edward R. Fowlie [Seat 22611 - must represent labor]).

14. File 92-97-28. [Appointments, Maternal, Child and Adolescent Health Board] Hearing to consider appointing members to the Maternal, Child and Adolescent Health Board, succeeding Toye T. Moses (Seat 22802 – must be nominee of Supervisor Katz and health professional); succeeding Margaret Royce (Seat 22804 – must be nurse); succeeding Barbara Williamson (Seat 22805 – Full Board); succeeding Meredith Cahn (Seat 22806 – must be parent); succeeding Mary Costello (Seat 22807 – must be parent); succeeding Linda S. White (Seat 22808 – must be health professional); succeeding Philip Ziring, M.D. (Seat 22816 – must be health professional); succeeding Annabelle Null (Seat 22818 – must be parent); succeeding Barbara Phillips (Seat 22821 – must be educator); succeeding Saralie B. Pennington (Seat 22822 – must be social worker), terms expired August 31, 1995, for new three-year terms ending August 31, 1998. (Clerk of the Board)

STATUS: [6/30/97] – Awaiting Committee action.

7/8/97 – Appointment of Citania Tam, succeeding Lynn Fang (Seat 22820, nominee of Supervisor Medina and parent) recommended. (See File 92-97-28.1.) Consideration of remaining appointments Continued to the Call of the Chair.

15. File 92-97-32. [Appointments, Park and Open Space Advisory Committee] Hearing to consider appointing member to the Park and Open Space Advisory Committee, succeeding Gregory J. Garr (Seat 23313 – must be nominee of Supervisor Yaki from list of organizations), term expired July 15, 1997, for new two-year term ending July 15, 1999. (Clerk of the Board)

STATUS: [7/14/97] – Awaiting Committee action.

(2/10/98 – Hearing held. Appointment of Mabel Ng, continued to February 24).

16. File 92-97-37. [Appointments, Adult Day Health Care Planning Council] Hearing to consider appointing members to the Adult Day Health Care Planning Council, succeeding William Gee (Seat 20002 – Age Group), term expired September 30, 1995, for new three-year term ending September 30, 1998; succeeding Eunice Willette (Seat 20003 – Age Group), term expired September 30, 1995, for new three-year term ending September 30, 1998; and succeeding Valerie Door (Seat 20014 – representative of health facility providing senior care), term expired September 30, 1995, for new three-year term ending September 30, 1998. (Clerk of the Board)

STATUS: [8/4/97] – Awaiting Committee action.

10/14/97 – Hearing held. Appointment of Ruth P. Morales, succeeding Joseph Mignola, Jr. (Seat 20008 – Age Group), term expired September 30, 1996, for new three-year term ending September 30, 1999, recommended. (See File 92-97-37.3.) Consideration of remaining appointments continued to the Call of the Chair.

17. File 92-97-41. [Appointments, Adult Day Health Care Planning Council] Hearing to consider appointing member to the Adult Day Health Care Planning Council succeeding Michael Kwok (Seat 20016 – must be a functionally impaired adult), term expired September 30, 1997, for a new three-year term ending September 30, 2000. (Clerk of the Board)

STATUS: [10/6/97] – Awaiting Committee action.
10/28/97 – Hearing held. Appointment of Annette M. Williams, succeeding herself (Seat 20013 – must represent transportation for senior citizens), term expired September 30, 1997, recommended for a new three-year term ending September 30, 2000. (Residency requirement for Annette M. Williams waived.) Appointment of Annette M. Williams combined with File 92-97-41.2. Consideration of remaining appointment continued to the Call of the Chair.

18. File 92-97-46. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointing members to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Maggie LaRue (Seat 26607 – must represent the Mayor's Office of Housing and Child Care), James Threat (Seat 26608 – must represent the Recreation and Park Department), Stacey Samek-Herrera (Seat 26609 – must represent the San Francisco Unified School District), and David Tran (Seat 26615 – must have expertise in environmental matters), terms expired August 20, 1997, for new four-year terms ending August 20, 2001. (Clerk of the Board)

STATUS: [10/20/97] – Awaiting Committee action.
1/13/98, Hearing held. Appointments of Nikkie Ho, succeeding herself (Seat 26604–must represent a tenant organization), Dianne C. Velleno, succeeding herself (Seat 26610–must have expertise in State preschools) and Michael Miller, succeeding himself (Seat 26614–must have expertise in real estate), recommended. (See File 98-0085). Consideration of remaining appointments CONTINUED TO CALL OF THE CHAIR.

19. File 92-97-47. [Appointments, Local Homeless Coordinating Board] Hearing to consider appointing two members to the newly established Local Homeless Coordinating Board, as follows: Seat 30710 – must represent a Foundation; Seat 30711 – must represent labor. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.
12/9/97 – Hearing held. Appointment of Jennifer Grant recommended for indefinite term. (See File 92-97-47.2.) Consideration of remaining appointments continued to the Call of the Chair.

20. File 92-97-49. [Appointments, City-Wide Alcoholism Advisory Board] Hearing to consider appointing members to the City-Wide Alcoholism Advisory Board, succeeding Heather Bostian (Seat 20602 – must have professional, research or personal interest in alcoholism), and Deborah Doyle (Seat 20605 – must have professional, research or personal interest in alcoholism), resigned, for unexpired portions of three-year terms ending July 1, 1999. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.
(12/9/97 – Consideration continued to the Call of the Chair.)

21. File 92-97-50. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Frances Doherty (Seat 26703 – must be painting contractor); Bartholomew Murphy (Seat 26710 – must be residential owner); Carolyn Gold (Seat 26712 – must represent tenant organization); Jordan Rinker, M.D. (Seat 26717 – must be a physician); Richard McGuire (Seat 26721 – must represent S.F. Housing Authority [ex-officio member]); Angela Hodgson (Seat 26722 – must be a parent); and Thomas A. Lewis (Seat 26723 – must be a painting contractor), terms expired December 22, 1997, for new four-year terms ending December 22, 2001. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.

22. File 92-97-50.3. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Donald H. Lanier (Seat 26719 – must represent U.S. Environmental Protection Agency [Ex-officio member]); and succeeding Robert Y. Nakamura (Seat 26720 – must represent CAL/OSHA [Ex-officio member]), terms expired December 22, 1995, for new four-year terms ending December 22, 1999. (Clerk of the Board)

STATUS: [12/15/97] – Awaiting Committee action.

23. File 92-97-53.1. [Appointment, S.F. Health Authority Governing Body] Resolution appointing Governing Body members to the San Francisco Health Authority. (San Francisco Health Plan)

STATUS: [12/9/97] – Awaiting Committee action.

(2/10/98 – Hearing held. Consideration of appointments of Sophie Wong and Kate O'Malley continued to February 24).

24. File 92-97-55.1. [Appointment, Bicycle Advisory Committee] Hearing to consider appointing member to the Bicycle Advisory Committee, succeeding Albert S. Glenn (Seat 24303 – must represent environmental organization), term expired December 31, 1997, for a new three-year term ending December 31, 2000. (Clerk of the Board)

STATUS: [12/22/97] – Awaiting Committee action.

25. File 98-0133. [Appointment, Sunshine Ordinance Task Force] Hearing to consider appointing member to the Sunshine Ordinance Task Force, succeeding Zoran Basich (Seat 27103–must be member of press or electronic media with interest in citizen access), resigned, for the unexpired portion of a two-year term ending April 27, 1998. (Clerk of the Board)
(Calendar 2/24)

STATUS: [2/2/98] – Awaiting Committee action.
1/30/98, Vacancy Notice posted.

26. File 98-0134. [Appointment, Animal Control & Welfare Commission] Hearing to consider appointing member to the Animal Control & Welfare Commission, succeeding Nola Chow (Seat 20703–must be a public-at-large appointment), resigned, for the unexpired portion of a two-year term ending April 30, 1999. (Clerk of the Board)
(Calendar 2/24)

STATUS: [1/20/98] Awaiting committee action.
1/30/98, Posted Vacancy Notice.

27. File 98-0153. [Appointment, Park and Open Space Advisory Committee] Hearing to consider appointing member to the Park and Open Space Advisory Committee, succeeding Lonnie Lawson (Seat 23307-must be nominee of Supervisor Katz), resigned, for the unexpired portion of a two-year term ending July 15, 1998. (Clerk of the Board)

STATUS: [2/2/98] Awaiting committee action.
1/30/98, Posted Vacancy Notice.

28. File 98-0154. [Appointment, Local Homeless Coordinating Board] Hearing to consider appointing member to the Local Homeless Coordinating Board, succeeding Victoria B. Black (Seat 30702-must represent homeless or formerly homeless), resigned, for an indefinite term. (Clerk of the Board)

STATUS: [1/5/98] Awaiting committee action.
1/30/98, Vacancy Notice posted.

29. File 98-0169. [Appointments, Mental Health Board] Hearing to consider appointing members to the San Francisco Mental Health Board, succeeding Anita Burton (Seat 50113-must be family member); succeeding Lois A. Jones, (Seat 50114-must be family member) and succeeding Toye Moses, Ph.D., MPH (Seat 50115-must be health professional), terms expired January 31, 1998, for new three-year terms ending January 31, 2001. (Clerk of the Board)

STATUS: [2/2/98] Awaiting committee action.

30. File 98-0170. [Appointments, Veterans Affairs Commission] Hearing to consider appointing members to the Veterans Affairs Commission, succeeding C.J. Thompson-White (Seat 23805-must be a woman veteran); and succeeding Edwin A. Wilkerson (Seat 23810-must be an at-large appointment); terms expired January 31, 1998, for new four-year terms ending January 31, 2002. (Clerk of the Board)

STATUS: [2/2/98] Awaiting committee action.

GENERAL MATTERS

31. File 39-97-1. [Civil Grand Jury Reports, 1996-97] Hearing to consider the 1996-1997 Civil Grand Jury Reports pertaining to: 1) San Francisco Unified School District, 2) Juvenile Justice System, 3) San Francisco Branch Libraries and Public School Libraries, 4) The Hiring Process in City and County of San Francisco, 5) Workers' Compensation Program, 6) San Francisco County Jail #7, 7) Recreation and Park Concessions, 8) Department of Building Inspection, 9) Animal Care and Control, 10) City and County Motor Vehicle Policy, and 11) San Francisco Employees Retirement Fund. (Civil Grand Jury)

STATUS: [8/18/97] - Awaiting Committee action.

32. File 55-97-3. [Golden Gate Bridge Song] Resolution supporting adoption of "The Bridge: Golden Gate" to be the official song of the Golden Gate Bridge and urging the Golden Gate Bridge, Highway and Transportation District to adopt "The Bridge: Golden Gate" as the official ballad of the Golden Gate Bridge. (Supervisor Teng)

STATUS: [9/22/97] - Awaiting Committee action.
(9/22/97 - Referred to Board for Adoption Without Committee Reference Calendar of 9/29/97.)
(9/29/97 - Severed; referred to Committee.)

33. File 60-97-12. [Voter Fraud Prevention] Hearing to consider ways to minimize voter fraud in upcoming elections thus protecting the integrity of the elective process. (Supervisor Ammiano)

STATUS: [9/15/97] – Awaiting Committee action.
(1/27/98 – Hearing held. Consideration continued to call of the chair;
Supervisor Brown dissenting).

34. File 97-97-29. [Delinquency Prevention Commission] Ordinance amending Administrative Code by repealing Sections 20.50, 20.51, and 20.52, to dissolve the Delinquency Prevention Commission, and by repealing Section 10.117-104, to close the Friends of the Delinquency Prevention Commission Special Fund. (Clerk of the Board)

STATUS: [9/29/97] – Awaiting Committee action.
(30-Day Rule expired on 10/29/97.)

35. File 97-97-37. [Public Record, Contract/Bid Raters] Ordinance amending Administrative Code Section 67.24 to specify that the evaluation forms and names of persons serving as raters for any City contract selection or bidding procedures would be subject to public inspection after the evaluation process has been completed. (Supervisor Ammiano)

STATUS: [6/23/97] – Awaiting Committee action.
(10/28/97 – Hearing held. Recommended.)
(12/8/97 – Rereferred to Rules Committee.)

36. File 197-97-2. [City Seal on Harvey Milk Burial Marker] Ordinance authorizing the official corporate seal of the City and County of San Francisco to be used on the burial site and marker of Harvey Milk, former Supervisor of the City and County of San Francisco. (Supervisors Katz, Bierman, Ammiano, Brown)

STATUS: [10/6/97] – Awaiting Committee action.
(11/12/97 – Hearing held. Recommended.)
(12/8/97 – Rereferred to Rules Committee.)

37. File 241-97-1. [Neighborhood Representation, Boards/Commissions] Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. (Supervisor Ammiano)

STATUS: [3/31/97] – Awaiting Committee action.
(2/10/98 – Hearing held. Consideration continued to call of the chair).

38. File 282-97-1. [Translators – Court System] Hearing to consider the shortage of translators in the Court System, and to investigate whether San Francisco is in compliance with California Senate Bill 1304, a comprehensive Court Interpreter Program administered by the Judicial Council. (Supervisor Ammiano)

STATUS: [12/8/97] – Awaiting Committee action.

LITIGATION MATTERS

39. File 98-0206. [Albertina Curiel v. CCSF, et. al.] Ordinance authorizing settlement of litigation of Albertina Curiel against the City and County of San Francisco by payment of \$55,000. (Superior Court No. 980-526). (City Attorney)

STATUS: [2/9/98] Awaiting committee action.

40. File 98-0207. [William Glass v. Gregory Kazarian, CCSF, et al.] Ordinance authorizing settlement of litigation of William Glass against Gregory Kazarian and the City and County of San Francisco by payment of 69,000. (Superior Court No. 972-719). (City Attorney)

STATUS: [2/9/98] Awaiting committee action.

cc: Members, Board of Supervisors
Clerk of the Board
Deputy Clerks (2)
Steve Kawa, Mayor's Office
Ted Lakey, Deputy City Attorney
Budget Analyst
Controller

CALENDER

Act & Take

REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

FEB 12 1998

SAN FRANCISCO
PUBLIC LIBRARY

TUESDAY, FEBRUARY 10, 1998 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: MARY L. RED

1. File 92-97-32. [Appointments, Park and Open Space Advisory Committee] Hearing to consider appointing member to the Park and Open Space Advisory Committee, succeeding Gregory J. Garr (Seat 23313 - must be nominee of Supervisor Yaki from list of organizations), term expired July 15, 1997, for new two-year term ending July 15, 1999. (Clerk of the Board)

APPLICANT: Mabel Ng succeeding Gregory J. Garr (must be nominee of Supervisor Yaki from list of organizations)

1 Seat/1 applicant.

ACTION: Hearing held. Consideration continued to February 24.

2. File 92-97-53.1. [Appointment, S.F. Health Authority Governing Body] Resolution appointing two Governing Body members to the San Francisco Health Authority. (San Francisco Health Plan)
(Continued from 1/27)

APPLICANTS: Sophie Wong, succeeding herself (Seat 50606 - must be nominee of San Francisco Community Clinic Consortium) (Incumbent)
Kate O'Malley, succeeding herself (Seat 50613 - must be nominee of San Francisco Health Authority Program Committee) (Incumbent)

2 Seats/2 applicants

ACTION: Hearing held. Consideration continued to February 24.

3. File 241-97-1. [Neighborhood Representation, Boards/Commissions] Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. (Supervisor Ammiano)
(Continued from 1/13/98)

ACTION: Hearing held. Consideration continued to call of the chair.



4. File 98-0080. [Meeting Schedule] Motion revising the regular meeting schedule of the Board of Supervisors by canceling the November 30, 1998 and December 28, 1998 meetings and by canceling all board and committee meetings from August 25, 1998 through September 13, 1998, and by rescheduling the September 21, 1998 meeting to September 22, 1998. (Supervisor Kaufman)

ACTION: RECOMMENDED.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

5. File 98-0164. [Hazel Louise Ellis v. CCSF et al.] Ordinance authorizing settlement of litigation of Hazel Louise Ellis against the City and County of San Francisco by payment of \$185,000. (Superior Court No. 976-607). (City Attorney)

ACTION: RECOMMENDED.

6. File 98-0165. [Tamilia Gorman/Alexander Rabey v. CCSF et al.] Ordinance authorizing settlement of litigation of Tamilia Gorman and Alexander Rabey against the City and County of San Francisco by payment of \$27,000.00. (Superior Court No. 961-655). (City Attorney)

ACTION: RECOMMENDED.

7. File 98-0166. [Carol McGee v. CCSF et al.] Ordinance authorizing settlement of litigation of Carol McGee against the City and County of San Francisco by payment of \$70,000. (Superior Court No. 980-710). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

THERE ARE NONE AT THIS TIME.

SAN FRANCISCO
PUBLIC LIBRARY

0/24/98

ACTION: Hearing held. **RECOMMENDED.**

3. File 92-97-55.1. [Appointment, Bicycle Advisory Committee] Hearing to consider appointing member to the Bicycle Advisory Committee, succeeding Albert S. Glenn (Seat 24303 - must represent environmental organization), term expired December 31, 1997, for a new three-year term ending December 31, 2000. (Clerk of the Board)

APPLICANT: Laura Gentile, succeeding Albert Glenn (must represent environmental organization)

1 Seat/1 applicant

ACTION: Hearing held. Appointment of Laura Gentile recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Bicycle Advisory Committee." RECOMMENDED.

4. File 98-0133. [Appointment, Sunshine Ordinance Task Force] Hearing to consider appointing member to the Sunshine Ordinance Task Force, succeeding Zoran Basich (Seat 27103-must be member of press or electronic media with interest in citizen access), resigned, for the unexpired portion of a two-year term ending April 27, 1998. (Clerk of the Board)

APPLICANT: Johnny Brannon, succeeding Zoran Basich (must be member of press or electronic media with interest in citizen access).

1 Seat/1 applicant

ACTION: Hearing held. Appointment of Johnny Brannon, recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Sunshine Ordinance Task Force." RECOMMENDED.

5. File 98-0134. [Appointment, Animal Control & Welfare Commission] Hearing to consider appointing member to the Animal Control & Welfare Commission, succeeding Nola Chow (Seat 20703-must be a public-at-large appointment), resigned, for the unexpired portion of a two-year term ending April 30, 1999. (Clerk of the Board)

APPLICANTS: Robin Buckley
Mrs. Chin Chi
Andrew Long

1 Seat/3 applicants

ACTION: Hearing held. Appointment of Chin Chi, recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Animal Control & Welfare Commission." RECOMMENDED.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

6. File 98-0206. [Albertina Curiel v. CCSF, et. al.] Ordinance authorizing settlement of litigation of Albertina Curiel against the City and County of San Francisco by payment of \$55,000. (Superior Court No. 980-526). (City Attorney)

ACTION: RECOMMENDED.

7. File 98-0207. [William Glass v. Gregory Kazarian, CCSF, et al.] Ordinance authorizing settlement of litigation of William Glass against Gregory Kazarian and the City and County of San Francisco by payment of 69,000. (Superior Court No. 972-719). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

THERE ARE NONE AT THIS TIME.

590.84

3

3/10/98

Public Library, Documents Department
Attn: Kate Wingerson

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

March 6, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of*

SUBJECT: March 10, 1998 Rules Committee Meeting

DOCUMENTS DEPT

MAR 16 1998

SAN FRANCISCO
PUBLIC LIBRARY

Item 8- File 98-314

Department: Public Library

Item: Resolution authorizing the Public Library to accept a cash gift from the Estate of John J. Morris in the amount of \$186,801.77 for the purchase of books.

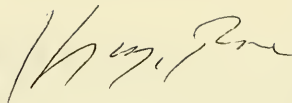
Gift Amount: \$186,801.77 in cash

Description: According to Mr. Michael Housh of the Public Library, the proposed resolution would authorize the Public Library to accept an unrestricted gift of \$186,801.77 in cash from the Estate of John J. Morris for the purpose of purchasing additional books for the Main Library and the Branch Libraries.

Comment: Mr. Housh reports that the Public Library has not yet determined the type of books to be purchased with the subject gift.

Recommendation: Approve the proposed resolution.

Memo to Rules Committee
March 10, 1998 Rules Committee Meeting



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey

70.84
2
10/98

CALENDAR Action Item
REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.
MAR 12 1998
SAN FRANCISCO
PUBLIC LIBRARY

TUESDAY, MARCH 10, 1998 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

ABSENT: SUPERVISOR BROWN FOR ITEMS 1 AND 2

CLERK: MARY L. RED

BALLOT ARGUMENTS:

1. File 285-97-2. [Ballot Argument] Hearing to consider ballot argument in favor of charter amendment concerning increasing the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. (Supervisor Ammiano)

ACTION: Hearing held. Amendment of the Whole (as presented by Supervisor Ammiano) correcting amount of Board of Supervisors' budget in 1982, accepted. RECOMMENDED (Supervisor Brown absent). Motion prepared in and reported out of committee entitled, "Authorizing proponent's ballot argument in favor of Proposition B, charter amendment concerning increasing the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585."

2. File 286-97-2. [Ballot Argument] Hearing to consider ballot argument in favor of charter amendment concerning low cost environmental loans. (Supervisor Kaufman)

ACTION: Hearing held. RECOMMENDED (Supervisor Brown absent). Motion prepared in and reported out of committee entitled, "Authorizing proponent's ballot argument in favor of Proposition D, charter amendment concerning low cost environmental loans."

3. File 287-97-2. [Ballot Argument] Hearing to consider ballot argument in favor of charter amendment concerning Water Department revenue fund requirements. (Supervisor Kaufman)

ACTION: Hearing held. RECOMMENDED. Motion prepared in and reported out of committee, entitled, "Authorizing proponent's ballot argument in favor of Proposition C, charter amendment concerning Water Department revenue fund requirements."

4. File 98-0330. [Ballot Argument] Hearing to consider ballot argument against initiative measure concerning City Hall. (Supervisor Kaufman)

ACTION: Hearing held. Amendment of the Whole (as presented by Supervisor Kaufman's Aide) clerical corrections on page 2, accepted. RECOMMENDED. Motion prepared in and reported out of committee entitled, "Authorizing opponent's argument against Proposition F, an initiative measure concerning City Hall."

5. File 98-0331. [Ballot Argument] Hearing to consider ballot argument against initiative measure concerning Board of Supervisors' staff. (Supervisor Kaufman)

ACTION: Hearing held. RECOMMENDED. Motion prepared in and reported out of committee entitled, "Authorizing opponent's ballot argument against Proposition G, an initiative measure concerning Board of Supervisors' staff."

6. File 98-0332. [Ballot Argument] Hearing to consider ballot argument against initiative measure concerning water and sewer rate freeze. (Supervisor Kaufman)

ACTION: Hearing held. RECOMMENDED. (Supervisor Yee dissenting). Motion prepared in and reported out of committee entitled, "Authorizing opponent's ballot argument against Proposition H, an initiative measure concerning water and sewer rate freeze."

7. File 98-0333. [Ballot Arguments] Hearing to consider submitting ballot arguments on ballot measures which may be submitted to the Director of Elections by March 4, 1998 for the June 2, 1998 election. (Supervisor Kaufman)

ACTION: FILED.

REGULAR CALENDAR:

8. File 98-0314. [Gift Acceptance] Resolution authorizing the San Francisco Public Library to accept a gift from the estate of John J. Morris not to exceed the amount of \$186,801.77 for the purchase of books. (Public Library)

ACTION: Hearing held. RECOMMENDED.

9. File 98-0356. [Appointment, Redevelopment Agency] Resolution confirming the Mayor's appointment of Ramon Enrique Romero to the San Francisco Redevelopment Agency.

ACTION: Hearing held. RECOMMENDED.

LITIGATION:

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

10. File 98-0257. [Cade-Hill, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Service Employees International Union, AFL-CIO, Local 790 and Ernestine Cade-Hill and the City and County of San Francisco by payment of \$27,415.85. (Grievance No. 65-0690). (City Attorney)

ACTION: RECOMMENDED.

11. File 98-0280. [Ronald Madarang, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Ronald Madarang against the City and County of San Francisco by payment of \$52,250. (Superior Court No. 981-749). (City Attorney)

ACTION: RECOMMENDED.

12. File 98-0282. [Rhonda Collins, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Rhonda Collins against the City and County of San Francisco by payment of \$1,000,000. (U.S. District Court No. C93-0741). (City Attorney)

ACTION: RECOMMENDED.

13. File 98-0283. [Robert Pinckney, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Robert Pinckney against the City and County of San Francisco by payment of \$83,835. (U.S. District Court No. C96-0919). (City Attorney)

ACTION: RECOMMENDED.

14. File 98-0312. [CCSF v. Karen Freeman] Ordinance authorizing settlement of litigation by the City and County of San Francisco against Karen Freeman by accepting consideration in the total amount of \$70,000 payable in cash and filing satisfaction of judgment. (Superior Court No. 989835). (Treasurer/Tax Collector)

ACTION: RECOMMENDED.

15. File 98-0319. [Emily Jean Landsverk, v. CCSF, et al.] Ordinance authorizing settlement of litigation of Emily Jean Landsverk against the City and County of San Francisco by payment of \$4,000,000. (Superior Court No. 985-460). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

File 98-0311. Lobbyist Regulations, Ordinance amending the Administrative Code, Sections 16.520 through 16.534. (Ethics Commission). 30-day Rule expires 4/1/98.

Watch future calendars for scheduling of this matter.

RULES COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 308
SAN FRANCISCO, CA 94102

IMPORTANT
HEARING NOTICE

90.84
2
3/20/98
Special

CALENDAR Action Taken
SPECIAL MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.
MAR 26 1998
SAN FRANCISCO
PUBLIC LIBRARY

FRIDAY, MARCH 20, 1998 - 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, AMOS BROWN

ABSENT: SUPERVISOR YEE

CLERK: MARY L. RED

NOTE: ALL REBUTTAL ARGUMENTS WILL BE COMMITTEE REPORTS TO THE BOARD OF SUPERVISORS MEETING OF MARCH 23, 1998.

REBUTTAL ARGUMENTS:

1. File 98-0415. [Rebuttal Argument, Proposition A] Motion authorizing rebuttal to opponent's ballot argument against Proposition A, bond measure concerning de Young Museum. (Supervisor Yaki)

ACTION: RECOMMENDED.

2. File 285-97-3. [Rebuttal Argument, Proposition B] Motion authorizing rebuttal to opponent's ballot argument against Proposition B, charter amendment concerning increasing the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. (Supervisor Ammiano)

ACTION: RECOMMENDED.

3. File 287-97-3. [Rebuttal Argument, Proposition C] Motion authorizing rebuttal to opponent's ballot argument against Proposition C, charter amendment concerning Water Department revenue fund requirements. (Supervisor Kaufman)

ACTION: RECOMMENDED.

4. File 286-97-3. [Rebuttal Argument, Proposition D] Motion authorizing rebuttal to opponent's ballot argument against Proposition D, charter amendment concerning low cost environmental loans. (Supervisor Kaufman)

ACTION: RECOMMENDED.

5. File 98-0416. [Rebuttal Argument, Proposition F] Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition F, an initiative measure concerning City Hall. (Supervisor Kaufman)

ACTION: RECOMMENDED.

6. File 98-0417. [Rebuttal Argument, Proposition G] Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition G, an initiative measure concerning Board of Supervisors' staff. (Supervisor Kaufman)

ACTION: Hearing held. Amendment of the Whole (as presented by Supervisor Kaufman's Aide) accepted. RECOMMENDED AS AMENDED.

7. File 98-0418. [Rebuttal Argument, Proposition H] Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition H, an initiative measure concerning water and sewer rate freeze. (Supervisor Kaufman)

ACTION: RECOMMENDED.

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2

3/24/98

CALENDAR *Action Taken*
REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

MAR 26 1998

SAN FRANCISCO
 PUBLIC LIBRARY

TUESDAY, MARCH 24, 1998 - 10:00 A.M.

Veterans Building
 401 Van Ness Ave., Room 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

ABSENT: SUPERVISOR YEE FOR ITEM #3

CLERK: MARY L. RED

1. File 98-0284. [Appointment, Bicycle Advisory Committee] Hearing to consider appointing member to the Bicycle Advisory Committee succeeding Chuck Summer (Seat 24311--must be a bicyclist at large), resigned, for unexpired portion of a three-year term ending December 22, 1998. (Clerk of the Board)

APPLICANTS: Michael Burke	Larry Arndt
Daniel Seltzer	Robin Levitt
H. Leonard Pettigrew	Suzanne Richter
Lynn Thompson	

1 Seat/7 applicants

ACTION: Hearing held. Appointment of Robin Levitt recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Bicycle Advisory Committee." **RECOMMENDED.**

2. File 98-0420. [Appointment, Advisory Council/Commission on Aging] Hearing to consider appointing members to the Advisory Council to the Commission on the Aging succeeding Marian Levy (Seat 20301--must be nominee of Supervisor Newsom); John Horak (Seat 20302--must be nominee of Supervisor Brown); Florence Edelman (Seat 20303--must be nominee of Supervisor Kaufman); Vera Haile (Seat 20304--must be nominee of Supervisor Yaki); Lena Leong (Seat 20305--must be nominee of Supervisor Yee); Reeve Olson (Seat 20306--must be nominee of Supervisor Bierman), terms expired March 31, 1998, for new two year terms to expire March 31, 2000. (Clerk of the Board)

APPLICANTS: Reeve Olson (Supervisor Bierman)
 Florence Edelman (Supervisor Kaufman)
 Vera Haile (Supervisor Yaki)

ACTION: Hearing held. Appointment of Reeve Olson, Florence Edelman, and Vera Haile recommended (See File 98-0504). Consideration of remaining appointments continued to call of the chair.

File 98-0504. Reeva Olson, succeeding herself (Seat 20306--must be nominee of Supervisor Bierman); Florence Edelman, succeeding herself (Seat 20303--must be nominee of Supervisor Kaufman); and Vera Haile, succeeding herself (Seat 20304--must be nominee of Supervisor Yaki), terms expiring March 31, 1998, for new two year terms to expire March 31, 2000. Recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Advisory Council to the Commission on the Aging." RECOMMENDED. (See File 98-0420 for remaining appointments)

3. File 98-0258. [Committee Meeting Observer] Ordinance amending Administrative Code Section 67.3 to allow non-committee members of a policy body to attend a committee meeting as observers without converting the committee meeting into a meeting of the policy body. (Supervisors Kaufman, Teng, Medina, Brown)

ACTION: Hearing held. RECOMMENDED. (Supervisor Yee absent)

LITIGATION:

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

4. File 98-0361. [Norman Doolittle, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of plaintiffs Norman Patrick Doolittle, David Andrew Gibb, Martin Stephen Hardwick against the City and County of San Francisco by payment of \$32,500 (payable as follows: \$29,500 to plaintiff Doolittle; \$1,500 to plaintiff Gibb; \$1,500 to plaintiff Hardwick). (Superior Crt No. 978634). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

File 98-0311. Lobbyist Regulations, Ordinance amending the Administrative Code, Sections 16.520 through 16.534. (Ethics Commission). 30-day Rule expires 4/1/98.

Watch future calendars for scheduling of this matter.

SF

590.84

4

4/14/98

4/28/98

INTER-OFFICE MEMORANDUM
CLERK'S OFFICE — BOARD OF SUPERVISORS

APRIL 23, 1998

DOCUMENTS DEPT
MAY 3 0 1998
SAN FRANCISCO
PUBLIC LIBRARY

TO: SUPERVISOR TOM AMMIANO, CHAIR
RULES COMMITTEE

FROM: MARY L. RED, CLERK

SUBJECT: PENDING LIST
MEETING DATES: APRIL 14, 1998
APRIL 28, 1998

NOTE: RULE 5.37, FILING OF INACTIVE MATTERS

*Pursuant to Rule 5.37, the items denoted with an asterisk have been inactive in Committee for five consecutive months; unless the item is heard the following month, it is deemed to be inactive and shall be filed by the Clerk.

APPOINTMENTS

1. File 92-95-35. [Appointments, CCPSS Task Force] Hearing to consider appointing ten voting members and three non-voting members to the Comprehensive Community Policing and Public Safety Strategy Task Force. (Clerk of the Board)

STATUS: [9/18/95] – Awaiting Committee action. 1/31/96 – Vacancy notice posted and mailed.

6/24/97 – Hearing held. Appointment of Michael T. Ege (Seat 29708 – nominee of Supervisor Yee, public at large), for term ending September 1, 2000, recommended. (See File 92-95-35.1.) Consideration of remaining appointments continued to the Call of the Chair (Seat 29701 – nominee of Supervisor Kaufman from Ingleside, District H; Seat 29702 – nominee of Supervisor Newsom from Potrero, District C; Seat 29703 – nominee of Supervisor Medina from Central, District A; Seat 29704 – nominee of Supervisor Katz from Tenderloin, District J; Seat 29705 – nominee of Supervisor Bierman from Richmond, District G; Seat 29706 – nominee of Supervisor Teng from Park, District F; Seat 29707 – nominee of Supervisor Yaki from Taraval, District I; Seat 29709 – nominee of Supervisor Brown from Northern, District E; Seat 29710 – nominee of Supervisor Ammiano from Mission, District D; Seat 29711, nominee of Supervisor Leal from Southern, District B; and Seats 29719, 29720 and 29721 – members of the Board of Supervisors).

2. File 92-96-29. [Appointment, National Blue Ribbon Service Commission] Hearing to consider appointments to the National Blue Ribbon Service Commission, Peter Gabel (Seat 20401, Supervisor Leal); Jim Salinas (Seat 20402, Supervisor Alioto); Agar Jaicks (Seat 20403, Supervisor Bierman); Lauri Irving (Seat 20405, Supervisor Yaki); Jason K. Wong (Seat 20406, Supervisor Hsieh); Argentina Davilla Luevano (Seat 20407, Supervisor Kaufman); Sabrina Saunders (Seat 20408, Supervisor Katz); Robert Chan (Seat 20409, Supervisor Ammiano); Sid Smith (Seat 20411, Supervisor Newsom); Carl L. Williams (Seat 20412, Board of Supervisors, at-large member); Ethel S. Newlin (Seat 20413, Board of Supervisors, at-large member); Michael Ma (Seat 20414, Board of Supervisors, at-large member); Sam Lawson (Seat 20415, Board of Supervisors, at-large member); Seat Vacant (Seat 20416, Mayor, non-voting member); Seat Vacant (Seat 20417, CAO, non-voting member); Saundra Edwards (Seat 20418, Board of Supervisors, at-large member); succeeding Rene Velasquez (deceased) (Seat 20419, Board of Supervisors, at-large member); Steve Williams (Seat 20420, Board of Supervisors - at-large member); Carole S. Cullum (Seat 20421, Board of Supervisors, at-large member), terms expired June 30, 1995, for three-year terms and ending June 30, 1998; see File 92-96-29.1. (Clerk of the Board)

STATUS: [6/3/96] - Awaiting Committee action.

3. File 92-96-32. [Appointments, Hazardous Materials Advisory Cmte.] Hearing to consider appointing members to the Hazardous Materials Advisory Committee, Seat Vacant (Seat 22605, must be epidemiologist) and Steven Medbery (Seat 22618, Public Utilities Commission) for new four-year terms beginning July 1, 1996 and ending July 1, 2000; see Files 92-96-32.1, 92-96-32.2, and 92-96-32.3. (Clerk of the Board)

STATUS: [6/3/96] - Awaiting Committee action. 6/4/96 - Hearing held. Appointment for Seat 22621 recommended. Remainder continued to the Call of the Chair. 6/18/96 - Hearing held. Appointment for Seat 22603 recommended. 9/17/96 - Hearing held. Appointment of Seat 22614 recommended. Seats 22605 and 22618 CONTINUED TO THE CALL OF THE CHAIR.

4. File 92-96-45. [Appointments, Airport Noise Committee] Hearing to consider appointments to the Airport Noise Committee, succeeding David Wilson (Seat 20501, SFIA); succeeding Stuart Sunshine (Seat 20502, nominee of Mayor); succeeding Ben Gale (Seat 20503, Dept. of Public Health); succeeding William Arietta (Seat 20504, Police Dept.); succeeding Theodore Pederson (Seat 20505, Dept. of Public Works); succeeding Barbara Sahm (Seat 20506, Dept. of City Planning); succeeding Don Bertone (Seat 20508, Supervisor Medina); succeeding Charles Kroupa (Seat 20510, Supervisor Leal); succeeding Aurea Luis-Carnes (Seat 20514, Supervisor Katz); succeeding David Bisho (Seat 20516, Supervisor Teng); terms expired September 30, 1996, for new three-year terms beginning September 30, 1996 and ending September 30, 1999. (Clerk of the Board)

STATUS: [9/3/96] - Awaiting Committee action. 12/9/97 - Hearing held. Appointment of Curt Holzinger, succeeding Don Bertone (Seat 20508, nominee of Supervisor Medina) recommended. (See File 92-96-45.4.) Consideration of remaining appointments continued to the Call of the Chair.

5. File 92-96-46. [Appointment, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointment to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Ana Shul (Seat 26619, low-income advocate), term expired August 20, 1996, for new four-year term ending August 20, 2000; see Files 92-96-46.1, 92-96-46.2, and 92-96-46.3. (Clerk of the Board)

STATUS: 5/20/97 - Hearing held. Appointment of Carla Furtado (succeeding Elise Stone, Seat 26616, health educator) recommended. (See File 92-96-46.3.) Consideration of remaining appointment continued to the Call of the Chair (succeeding Ana Shul, Seat 26619, low-income advocate).

6. File 92-96-47. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointments to the Lead Poisoning Prevention Citizens Advisory Committee, succeeding Silen Nhok (Seat 26618, must be language specialist), resigned, for unexpired portion of four-year term ending August 20, 1997, and succeeding Carmela Rombawa-Bey (Seat 26621, expertise in non-profit clinics), resigned, for unexpired portion of four-year term ending August 20, 1999. (Clerk of the Board)

STATUS: [9/3/96] - Awaiting Committee action. 8/23/96 - Vacancy notice posted.

7. File 92-96-53. [Appointments, Hazardous Materials Advisory Committee] Hearing to consider appointments to the Hazardous Materials Advisory Committee succeeding Aurea Luis-Carnes (Seat 22602, must represent environmental industry), resigned, for the unexpired portion of the four-year term ending July 1, 1998; and succeeding Kathleen Kahler (Seat 22606, must be health educator), resigned, for the unexpired portion of the four-year term ending July 1, 1998. (Clerk of the Board)

STATUS: [10/15/96] - Awaiting Committee action.

8. File 92-96-59. [Central Freeway Citizens Advisory Task Force] Hearing to consider resignation of Linda Salas as a member of the Central Freeway Advisory Task Force effective November 2, 1996. (Clerk of the Board)

STATUS: [11/12/96] - Awaiting Committee action.

9. File 92-97-4. [Appointment, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointment of member to the Lead Poisoning Prevention Citizens Advisory Committee, succeeding Karen Huggins (26625 - must represent public housing tenants), term expired August 20, 1997, for new four-year term ending August 20, 2001. (Clerk of the Board)

STATUS: [2/18/97] - Awaiting Committee action.
(2/14/97 - Vacancy Notice Posted.)
2/25/97 - Hearing held. Appointments of Loretta Krueger (Seat 22617, succeeding Amy Vanacore) and Maria Luz Torre (Seat 26623, succeeding Tracy Brown) recommended. Consideration of remaining appointment continued to the Call of the Chair (succeeding Karen Huggins (Seat 22625).

10. File 92-97-8. [Appointments, Child Care Planning and Advisory Council] Hearing to consider appointment of one (1) initial member to the Child Care Planning and Advisory Council. (Clerk of the Board)

STATUS: [3/17/97] – Awaiting Committee action.
10/14/97 – Hearing held. Appointment of Philip Tse (Seat 29622) recommended for a term to be determined by lot. (See File 92-97-8.5.) Consideration of remaining appointment continued to the Call of the Chair (Seat 29621 – Client of Publicly Subsidized Child Care Program).

11. File 92-97-12. [Appointment, Telecommunications Policy Committee] Hearing to consider appointing members to the Telecommunications Policy Committee, succeeding Sue Levitin (Seat No. 21601 – representative of the Cable Television Franchise holder [TCI]); succeeding George E. McBride (Seat No. 21602 – representative of a City Agency (Library); succeeding Owen Seitel (Seat 21603 – representative of public at large); succeeding Zane G. Blaney (Seat 21604 – representative of public at large), terms expired February 1, 1997, for new two-year term ending February 1, 1999. (Clerk of the Board)

STATUS: [4/7/97] – Awaiting Committee action.

THERE IS NOW A TELECOMMUNICATIONS COMMISSION

12. File 92-97-16. [Appointment, Citizens Advisory Commission on Elections] Hearing to consider the nomination of member to the Citizens Advisory Committee on Elections for appointment by the Mayor, succeeding George Mix (Seat 30104), term expired May 16, 1997, for new four-year term ending May 16, 2001. (Clerk of the Board)

STATUS: [4/14/97] – Awaiting Committee action.
6/10/97 – Hearing held. Appointments of Christopher L. Bowman, succeeding himself (Seat 30105), and Samson W. Wong, succeeding himself (Seat 30106) recommended. (See File 92-97-16.1.) Consideration of remaining appointment continued to the Call of the Chair (succeeding George Mix, Seat 30104).

13. File 92-97-25. [Appointments, Hazardous Materials Advisory Committee] Hearing to consider appointing members to the Hazardous Materials Advisory Committee succeeding Frank Donahue (Seat 22607 – must represent neighborhood organization); and succeeding Edward R. Fowlie (Seat 22611 – must represent labor), terms expired July 1, 1997, for new four-year terms ending July 1, 2001. (Clerk of the Board)

STATUS: [6/2/97] – Awaiting Committee action.
12/9/97 – Hearing held. Appointment of Ross A. Tibbits, succeeding Thomas Bernard (Seat 22620 – open seat, no requirement) recommended. (See File 92-97-25.2.) Consideration of remaining appointments continued to the Call of the Chair (succeeding Frank Donahue [Seat 22607 – must represent neighborhood organization]; and Edward R. Fowlie [Seat 22611 – must represent labor]).

14. File 92-97-28. [Appointments, Maternal, Child and Adolescent Health Board] Hearing to consider appointing members to the Maternal, Child and Adolescent Health Board, succeeding Toye T. Moses (Seat 22802 - must be nominee of Supervisor Katz and health professional); succeeding Margaret Royce (Seat 22804 - must be nurse); succeeding Barbara Williamson (Seat 22805 - Full Board); succeeding Meredith Cahn (Seat 22806 - must be parent); succeeding Mary Costello (Seat 22807 - must be parent); succeeding Linda S. White (Seat 22808 - must be health professional); succeeding Philip Ziring, M.D. (Seat 22816 - must be health professional); succeeding Annabelle Null (Seat 22818 - must be parent); succeeding Barbara Phillips (Seat 22821 - must be educator); succeeding Saralie B. Pennington (Seat 22822 - must be social worker), terms expired August 31, 1995, for new three-year terms ending August 31, 1998. (Clerk of the Board)

STATUS: [6/30/97] - Awaiting Committee action.

7/8/97 - Appointment of Citania Tam, succeeding Lynn Fang (Seat 22820, nominee of Supervisor Medina and parent) recommended. (See File 92-97-28.1.) Consideration of remaining appointments Continued to the Call of the Chair.

15. File 92-97-32. [Appointments, Park and Open Space Advisory Committee] Hearing to consider appointing member to the Park and Open Space Advisory Committee, succeeding Gregory J. Garr (Seat 23313 - must be nominee of Supervisor Yaki from list of organizations), term expired July 15, 1997, for new two-year term ending July 15, 1999. (Clerk of the Board)

STATUS: [7/14/97] - Awaiting Committee action.

(2/24/98 - Consideration continued to call of the chair).

16. File 92-97-37. [Appointments, Adult Day Health Care Planning Council] Hearing to consider appointing members to the Adult Day Health Care Planning Council, succeeding William Gee (Seat 20002 - Age Group), term expired September 30, 1995, for new three-year term ending September 30, 1998; succeeding Eunice Willette (Seat 20003 - Age Group), term expired September 30, 1995, for new three-year term ending September 30, 1998; and succeeding Valerie Door (Seat 20014 - representative of health facility providing senior care), term expired September 30, 1995, for new three-year term ending September 30, 1998. (Clerk of the Board)

STATUS: [8/4/97] - Awaiting Committee action.

10/14/97 - Hearing held. Appointment of Ruth P. Morales, succeeding Joseph Mignola, Jr. (Seat 20008 - Age Group), term expired September 30, 1996, for new three-year term ending September 30, 1999, recommended. (See File 92-97-37.3.) Consideration of remaining appointments continued to the Call of the Chair.

17. File 92-97-41. [Appointments, Adult Day Health Care Planning Council] Hearing to consider appointing member to the Adult Day Health Care Planning Council succeeding Michael Kwok (Seat 20016 – must be a functionally impaired adult), term expired September 30, 1997, for a new three-year term ending September 30, 2000. (Clerk of the Board)
(Calendar 4/28)

STATUS: [10/6/97] – Awaiting Committee action.

10/28/97 – Hearing held. Appointment of Annette M. Williams, succeeding herself (Seat 20013 – must represent transportation for senior citizens), term expired September 30, 1997, recommended for a new three-year term ending September 30, 2000. (Residency requirement for Annette M. Williams waived.) Appointment of Annette M. Williams combined with File 92-97-41.2. Consideration of remaining appointment continued to the Call of the Chair.

18. File 92-97-46. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointing members to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Maggie LaRue (Seat 26607 – must represent the Mayor's Office of Housing and Child Care), James Threat (Seat 26608 – must represent the Recreation and Park Department), Stacey Samek-Herrera (Seat 26609 – must represent the San Francisco Unified School District), and David Tran (Seat 26615 – must have expertise in environmental matters), terms expired August 20, 1997, for new four-year terms ending August 20, 2001. (Clerk of the Board)

STATUS: [10/20/97] – Awaiting Committee action.

1/13/98, Hearing held. Appointments of Nikkie Ho, succeeding herself (Seat 26604–must represent a tenant organization), Dianne C. Velleno, succeeding herself (Seat 26610–must have expertise in State preschools) and Michael Miller, succeeding himself (Seat 26614–must have expertise in real estate), recommended. (See File 98-0085). Consideration of remaining appointments
CONTINUED TO CALL OF THE CHAIR.

19. File 92-97-47. [Appointments, Local Homeless Coordinating Board] Hearing to consider appointing two members to the newly established Local Homeless Coordinating Board, as follows: Seat 30710 – must represent a Foundation; Seat 30711 – must represent labor. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.

12/9/97 – Hearing held. Appointment of Jennifer Grant recommended for indefinite term. (See File 92-97-47.2.) Consideration of remaining appointments continued to the Call of the Chair.

20. File 92-97-49. [Appointments, City-Wide Alcoholism Advisory Board] Hearing to consider appointing members to the City-Wide Alcoholism Advisory Board, succeeding Heather Bostian (Seat 20602 – must have professional, research or personal interest in alcoholism), and Deborah Doyle (Seat 20605 – must have professional, research or personal interest in alcoholism), resigned, for unexpired portions of three-year terms ending July 1, 1999. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.

(12/9/97 – Consideration continued to the Call of the Chair.)

21. File 92-97-50. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Frances Doherty (Seat 26703 – must be painting contractor); Bartholomew Murphy (Seat 26710 – must be residential owner); Carolyn Gold (Seat 26712 – must represent tenant organization); Jordan Rinker, M.D. (Seat 26717 – must be a physician); Richard McGuire (Seat 26721 – must represent S.F. Housing Authority [ex-officio member]); Angela Hodgson (Seat 26722 – must be a parent); and Thomas A. Lewis (Seat 26723 – must be a painting contractor), terms expired December 22, 1997, for new four-year terms ending December 22, 2001. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.

22. File 92-97-50.3. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Donald H. Lanier (Seat 26719 – must represent U.S. Environmental Protection Agency [Ex-officio member]); and succeeding Robert Y. Nakamura (Seat 26720 – must represent CAL/OSHA [Ex-officio member]), terms expired December 22, 1995, for new four-year terms ending December 22, 1999. (Clerk of the Board)

STATUS: [12/15/97] – Awaiting Committee action.

23. File 98-0153. [Appointment, Park and Open Space Advisory Committee] Hearing to consider appointing member to the Park and Open Space Advisory Committee, succeeding Lonnie Lawson (Seat 23307–must be nominee of Supervisor Katz), resigned, for the unexpired portion of a two-year term ending July 15, 1998. (Clerk of the Board)

STATUS: [2/2/98] Awaiting committee action.
1/30/98, Posted Vacancy Notice.

24. File 98-0154. [Appointment, Local Homeless Coordinating Board] Hearing to consider appointing member to the Local Homeless Coordinating Board, succeeding Victoria B. Black (Seat 30702–must represent homeless or formerly homeless), resigned, for an indefinite term. (Clerk of the Board)

STATUS: [1/5/98] Awaiting committee action.
1/30/98, Vacancy Notice posted.

25. File 98-0169. [Appointments, Mental Health Board] Hearing to consider appointing members to the San Francisco Mental Health Board, succeeding Anita Burton (Seat 50113–must be family member); succeeding Lois A. Jones, (Seat 50114–must be family member) and succeeding Toye Moses, Ph.D., MPH (Seat 50115–must be health professional), terms expired January 31, 1998, for new three-year terms ending January 31, 2001. (Clerk of the Board)

STATUS: [2/2/98] Awaiting committee action.

26. File 98-0170. [Appointments, Veterans Affairs Commission] Hearing to consider appointing members to the Veterans Affairs Commission, succeeding C.J. Thompson-White (Seat 23805–must be a woman veteran); and succeeding Edwin A. Wilkerson (Seat 23810–must be an at-large appointment); terms expired January 31, 1998, for new four-year terms ending January 31, 2002. (Clerk of the Board)

STATUS: [2/2/98] Awaiting committee action.

27. File 98-0420. [Appointment, Advisory Council/Commission on Aging] Hearing to consider appointing members to the Advisory Council to the Commission on the Aging succeeding Marian Levy (Seat 20301–must be nominee of Supervisor Newsom); John Horak (Seat 20302–must be nominee of Supervisor Brown); Lena Leong (Seat 20305–must be nominee of Supervisor Yee); terms expired March 31, 1998, for new two year terms to expire March 31, 2000. (Clerk of the Board)

STATUS: [3/23/98] Awaiting committee action.

(3/24/98, Hearing held. Appointment of Reeva Olson, Florence Eldelman, and Vera Haile recommended in File 98-0504. Consideration of remaining appointments continued to call of the chair).

28. File 98-0499. [Appointment, Sunshine Ordinance Task Force] Hearing to consider appointing members to the Sunshine Ordinance Task Force succeeding Bruce Bruggmann (Seat 27102–must be local journalist nominated by Society of Prof. Journalists); Charlotte Berk (Seat 27104–must be nominee of League of Women Voters); David Pilpel (Seat 27108–must be member of public experienced in consumer advocacy); Enrique Ramirez (Seat 27109–must be member of public experienced in consumer advocacy); Ruach Graffis (Seat 27114–must be member of public with interest/experience in local govt.), terms expiring April 27, 1998, for new two year terms ending April 27, 2000.

STATUS: [3/30/98] Awaiting committee action.

(4/14/98, Hearing held. Appointment of Nicole Wong; Johnny Brannon; Robert Planthold; David Watkins; Nancy Sutley; and Timothy Taylor were recommended (See File 98-0614). Remaining appointments were continued to April 28, 1998).

29. File 98-0586. [Appointment, Animal Control & Welfare Commission] Hearing to consider appointing members to the Animal Control & Welfare Commission succeeding Shelia Martin (Seat 20707–must be licensed veterinarian); June Wilson (Seat 20702–must be public at large); Catherine Tchen-Kenna (Seat 20701–must be public at large); terms expired April 30, 1998, for new two year terms ending April 30, 2000. (Clerk of the Board)

STATUS: [4/20/98] Awaiting committee action.

30. File 98-0627. [Appointment, Hazardous Materials Advisory Committee] Hearing to consider appointing member to the Hazardous Materials Advisory Committee succeeding Susan Glendening (Seat 22614–must represent environmental organization) resigned, for unexpired portion of four year term ending July 1, 2000. (Clerk of the Board)

STATUS: [4/13/98] Awaiting committee action.

4/21/98, Vacancy Notice Posted.

31. File 98-0628. [Appointment, Park and Open Space Advisory Committee] Hearing to consider appointing member to the Park and Open Space Advisory Committee succeeding Carol Lane (Seat 23314–must be nominee of Supervisor Kaufman from list of organizations) resigned, for unexpired portion of two year term ending July 15, 1999. (Clerk of the Board)

STATUS: [4/13/98] Awaiting committee action.

4/21/98, Vacancy Notice Posted.

GENERAL MATTERS

32. File 39-97-1. [Civil Grand Jury Reports, 1996-97] Hearing to consider the 1996-1997 Civil Grand Jury Reports pertaining to: 1) San Francisco Unified School District, 2) Juvenile Justice System, 3) San Francisco Branch Libraries and Public School Libraries, 4) The Hiring Process in City and County of San Francisco, 5) Workers' Compensation Program, 6) San Francisco County Jail #7, 7) Recreation and Park Concessions, 8) Department of Building Inspection, 9) Animal Care and Control, 10) City and County Motor Vehicle Policy, and 11) San Francisco Employees Retirement Fund. (Civil Grand Jury)

STATUS: [8/18/97] – Awaiting Committee action.

33. File 60-97-12. [Voter Fraud Prevention] Hearing to consider ways to minimize voter fraud in upcoming elections thus protecting the integrity of the elective process. (Supervisor Ammiano)

STATUS: [9/15/97] – Awaiting Committee action.

(1/27/98 – Hearing held. Consideration continued to call of the chair;
Supervisor Brown dissenting).

34. File 97-97-29. [Delinquency Prevention Commission] Ordinance amending Administrative Code by repealing Sections 20.50, 20.51, and 20.52, to dissolve the Delinquency Prevention Commission, and by repealing Section 10.117-104, to close the Friends of the Delinquency Prevention Commission Special Fund. (Clerk of the Board)

STATUS: [9/29/97] – Awaiting Committee action.

(30-Day Rule expired on 10/29/97.)

35. File 97-97-37. [Public Record, Contract/Bid Raters] Ordinance amending Administrative Code Section 67.24 to specify that the evaluation forms and names of persons serving as raters for any City contract selection or bidding procedures would be subject to public inspection after the evaluation process has been completed. (Supervisor Ammiano)

STATUS: [6/23/97] – Awaiting Committee action.

(10/28/97 – Hearing held. Recommended.)

(12/8/97 – Rereferred to Rules Committee.)

36. File 197-97-2. [City Seal on Harvey Milk Burial Marker] Ordinance authorizing the official corporate seal of the City and County of San Francisco to be used on the burial site and marker of Harvey Milk, former Supervisor of the City and County of San Francisco. (Supervisors Katz, Bierman, Ammiano, Brown)

STATUS: [10/6/97] – Awaiting Committee action.

(11/12/97 – Hearing held. Recommended.)

(12/8/97 – Rereferred to Rules Committee.)

37. File 241-97-1. [Neighborhood Representation, Boards/Commissions] Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. (Supervisor Ammiano)

STATUS: [3/31/97] - Awaiting Committee action.
(4/14/98, Hearing held. Consideration continued to June 23, 1998).

38. File 282-97-1. [Translators - Court System] Hearing to consider the shortage of translators in the Court System, and to investigate whether San Francisco is in compliance with California Senate Bill 1304, a comprehensive Court Interpreter Program administered by the Judicial Council. (Supervisor Ammiano)

STATUS: [12/8/97] - Awaiting Committee action.
(4/14/98, Consideration continued to April 28).

39. File 98-0311. [Regulation of Lobbyists] Ordinance amending Article XI1A of the San Francisco Administrative Code by amending Sections 16.520 through 16.534 to: add Legislative findings; clarify definitions and add new definitions; consolidate the definition of "Lobbyist" with the thresholds for qualifying as a lobbyist and the exemptions; increase the qualification threshold for contract lobbyists from \$1,000 per month to \$4,200 per quarter; increase the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$4,200 per quarter; clarify and add new exemptions; clarify that once a person qualifies as a "Lobbyist" the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination; require that lobbyist report contacts with and payments that benefit certain designated employees as well as City officers; clarify the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports; provide that all lobbyists re-register on January 15 of each year; require lobbyists to disclose payments received from City officers in exchange for campaign consulting services; limit the aggregate value of gifts from lobbyists to each City officer and to certain designated employees, within three months of a lobbyist contact, to \$50; prohibit lobbying on a contingency fee basis; require lobbyists to notify City officers and designated employees of the value of gifts conferred; limit political contributions by lobbyists; and add transition provisions for implementation of these amendments. (Ethics Commission)
(Calendar May 12)

(30-Day Rule expires on 4/2/98)

STATUS: [3/2/98] Awaiting committee action.

40. File 98-0350. [Public Participation] Hearing to consider how to increase public participation in the business of the Board of Supervisors. (Supervisor Yee)
(Calendar 5/12)

STATUS: [3/2/98] Awaiting committee action.

41. File 98-0351. [Instant Runoff Voting] Hearing to consider feasibility of an instant runoff voting system for local elective office. (Supervisor Ammiano)

STATUS: [3/2/98] Awaiting committee action.

42. File 98-0530. [Sunshine Ordinance Task Force] Resolution establishing a policy to involve the Sunshine Task Force in the consideration and review of proposed amendments to the City's Sunshine Ordinance. (Supervisor Ammiano)

(30-Day Rule will expire on 4/29/98)

STATUS: [3/30/98] Awaiting committee action.

LITIGATION MATTERS

43. File 98-0588. [Sandler v. CCSF] Ordinance approving settlement agreement in Sandler v. City and County of San Francisco. (U.S.D.C. Northern California No. C94-1334 SI). (City Attorney)

STATUS: [4/20/98] Awaiting committee action.

44. File 98-0617. [Robert Rene Mitchell v. CCSF, et al.] Ordinance authorizing settlement of litigation of Robert Rene Mitchell against the City and County of San Francisco, by payment of \$80,000. (Superior Court No. 979-034). (City Attorney)

STATUS: [4/20/98] Awaiting committee action.

45. File 98-0618 [State Farm/Yaser v. CCSF, et al.] Ordinance authorizing settlement of litigation of State Farm Fire and Casualty Company, Sami Yaser, George Yaser and dba Fell Quality Market, against City and County of San Francisco by payment of \$135,000. (Superior Court Case No. 980-058, consolidated under Superior Court Case No. 977-008). (City Attorney)

STATUS: [4/20/98] Awaiting committee action.

cc: Members, Board of Supervisors
Clerk of the Board
Deputy Clerks (2)
Steve Kawa, Mayor's Office
Ted Lakey, Deputy City Attorney
Budget Analyst
Controller



CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
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April 10, 1998

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TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of*

SUBJECT: April 14, 1997⁸ Rules Committee Meeting

Item 3 - File 98-490

Department: Department of Public Health (DPH)

Item: Resolution authorizing the Department of Public Health (DPH), Laguna Honda Hospital to accept and expend a gift of shares of common stock, at a fair market value estimated at over \$170,000 as of March 17, 1998, bequeathed to Laguna Honda Hospital from the Barbara Wylie Trust, to be used for "the general benefit and comfort" of residents of Laguna Honda Hospital.

Description: Approval of the subject resolution would allow DPH to accept and expend the proceeds from the sale of the following gift from the Barbara Wylie Trust:

1. 581 shares of common stock in IBM with a fair market value of \$61,476 as of April 3, 1998.
2. 931 shares of common stock in General Electric with a fair market value of \$81,695 as of April 3, 1998.
3. 525 shares of common stock in Duke Power with a fair market value of \$31,500 as of April 3, 1998.

Memo to Rules Committee
April 14, 1998 Rules Committee Meeting

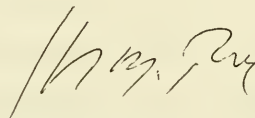
As of April 3, 1998, the total combined fair market value of the subject shares of common stock was \$174,671. The funds generated from the sale of subject stock will change depending on the fair market value of the securities on the date when such common stock is sold.

Comment:

According to Ms. Monique Zmuda of DPH, the proceeds from the sale of subject common stock will be deposited into the Laguna Honda Hospital Gift Fund, which is to be used for expenditures that enhance the "general benefit and comfort" of residents of Laguna Honda Hospital.

Recommendation:

Approve the proposed resolution.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey

BF

90.84

2

4/14/98

CALENDAR Action Take

DOCUMENTS DEPT.

REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

APR 16 1998

SAN FRANCISCO
PUBLIC LIBRARY

TUESDAY, APRIL 14, 1998 - 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: MARY L. RED

1. File 98-0499. [Appointment, Sunshine Ordinance Task Force] Hearing to consider appointing members to the Sunshine Ordinance Task Force succeeding Nicole Wong (Seat 27101-must be attorney nominated by Society of Prof. Journalists); Bruce Brugmann (Seat 27102-must be local journalist nominated by Society of Prof. Journalists); Johnny Brannon (Seat 27103-must be member of press or elect. media w/interest in citizen access); Charlotte Berk (Seat 27104-must be nominee of League of Women Voters); Robert Planthold (Seat 27105-must be disabled/have interest in citizen access/participation in local govt.); David Watkins (Seat 27106-must be member of public with interest/experience in local govt.); Nancy Sutley (Seat 27107-must be member of public with interest/experience in local govt.); David Pilpel (Seat 27108-must be member of public experienced in consumer advocacy); Enrique Ramirez (Seat 27109-must be member of public experienced in consumer advocacy); Timothy Taylor (Seat 27113-must be member of public with interest/experience in local govt.); Ruach Graffis (Seat 27114-must be member of public with interest/experience in local govt.), terms expiring April 27, 1998, for new two year terms ending April 27, 2000.

27101 - Nicole Wong (incumbent)

27103 - Johnny Brannon (incumbent); Vince Courtney

27105 - Robert Planthold (incumbent)

27106 - David Watkins (incumbent); Neil Eisenberg

27107 - Nancy Sutley (incumbent); Jerry Windley

27109 - Stuart Smith

27113 - Timothy Taylor (incumbent); L. J. Dolin

27114 - Ruach Graffis (incumbent)

ACTION: Hearing held. Appointment of Nicole Wong; Johnny Brannon; Robert Planthold; David Watkins; Nancy Sutley; and Timothy Taylor recommended. (See File 98-0614). Consideration of remaining appointments continued to April 28, 1998.

File 98-0614. Nicole Wong, succeeding herself (Seat 27101--must be attorney nominated by Society of Prof. Journalists); Johnny Brannon, succeeding himself (Seat 27103--must be member of press or elect. media w/interest in citizen access); Robert Planthold succeeding himself (Seat 27105--must be disabled/have interest in citizen access/participation in local govt.); David Watkins, succeeding himself (Seat 27106--must be member of public with interest/experience in local govt.); Nancy Sutley, succeeding herself (Seat 27107--must be member of public with interest/experience in local govt.); and Timothy Taylor, succeeding himself (Seat 27113--must be member of public with interest/experience in local govt.), terms expiring April 27, 1998, for new two year terms ending April 27, 2000. Recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Sunshine Ordinance Task Force." RECOMMENDED. (See File 98-0499 for remaining appointments)

2. File 98-0489. [Conflict of Interest Code] Ordinance amending Administrative Code Section 58.290 to reflect organizational changes at the Port of San Francisco. (Port)

ACTION: Hearing held. RECOMMENDED.

3. File 98-0490. [Gift Acceptance, DPH-Laguna Honda Hospital] Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to accept and expend a gift of shares of stocks in the value currently estimated to be \$178,000 bequeathed to Laguna Honda Hospital from the Barbara Wylie Trust, to be expended for "the general benefit and comfort" of residents. (Department of Public Health)

ACTION: Hearing held. RECOMMENDED.

4. File 98-0442. [Board Off Site Meeting, May 26, 1998] Motion ordering the May 26, 1998 meeting of the Board of Supervisors be held at the Southeast Community Facility, 1800 Oakdale Avenue, Community Room in the Bayview Hunters Point Neighborhood of San Francisco at 5:00 p.m. (Supervisors Teng, Brown, Bierman)

ACTION: RECOMMENDED.

5. File 241-97-1. [Neighborhood Representation, Boards/Commissions] Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. (Supervisor Ammiano)
(Continued from 2/10)

ACTION: Hearing held. Consideration continued to June 23, 1998.

6. File 282-97-1. [Translators - Court System] Hearing to consider the shortage of translators in the Court System, and to investigate whether San Francisco is in compliance with California Senate Bill 1304, a comprehensive Court Interpreter Program administered by the Judicial Council. (Supervisor Ammiano)

ACTION: Consideration continued to April 28, 1998.

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

7. File 98-0488. [Kajima Engineering & Construction, Inc. v. CCSF] Ordinance authorizing settlement of litigation of Kajima Engineering and Construction, Inc. against the City and County of San Francisco by payment of \$250,000. (Superior Court No. 990-898). (City Attorney)

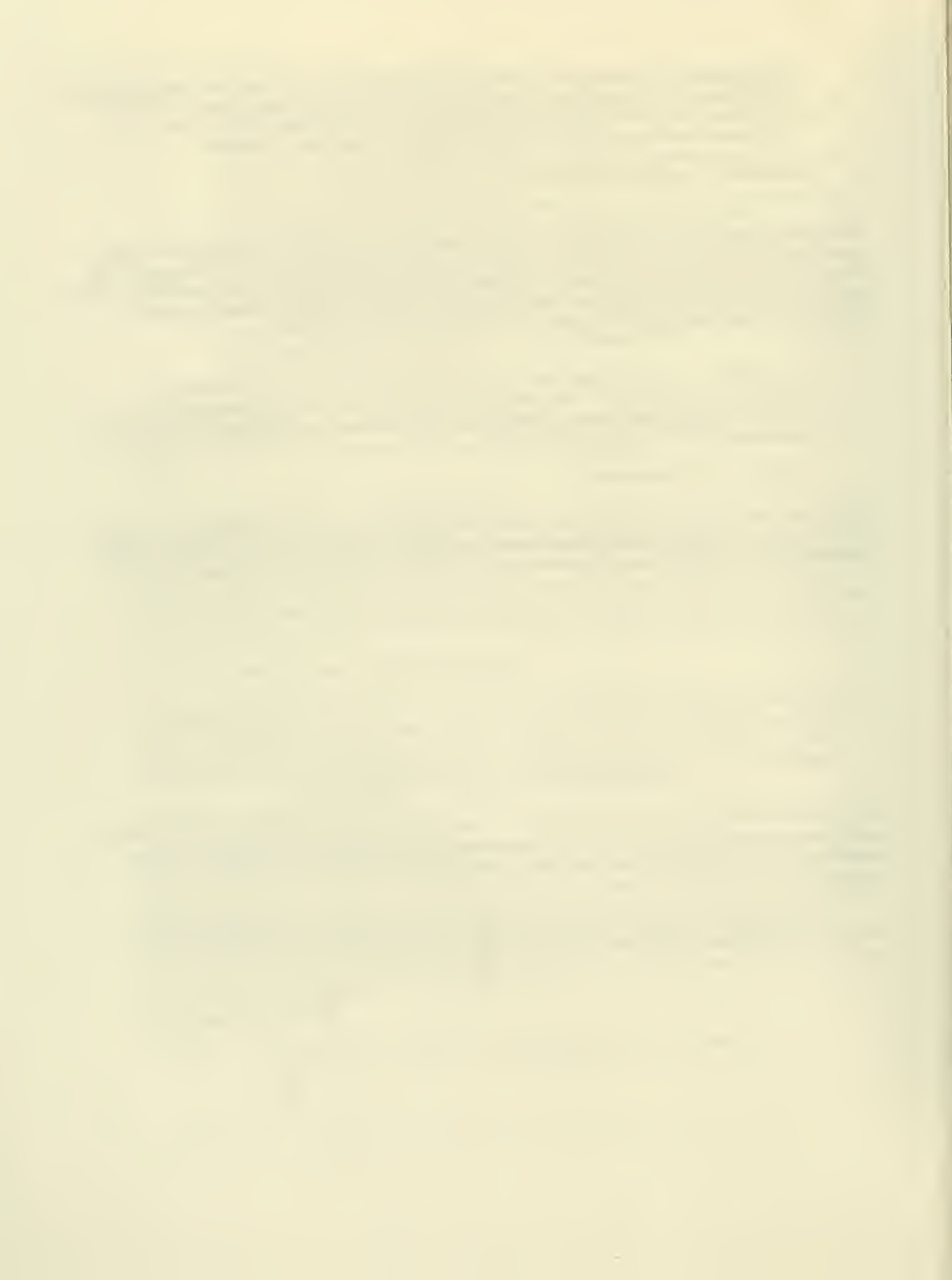
ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

File 98-0530. Sunshine Ordinance Task Force, Resolution establishing policy for review of amendments. (Supervisor Ammiano) 30-day Rule expires 4/29/98.



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590.84

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4/28/98

CALENDAR .. Action Taken

DOCUMENTS DEPT.

April 30 1998

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, APRIL 28, 1998 - 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: MARY L. RED

1. File 98-0499. [Appointment, Sunshine Ordinance Task Force] Hearing to consider appointing members to the Sunshine Ordinance Task Force succeeding Bruce Brugmann (Seat 27102-must be local journalist nominated by Society of Prof. Journalists); Charlotte Berk (Seat 27104-must be nominee of League of Women Voters); David Pilpel (Seat 27108-must be member of public experienced in consumer advocacy); Enrique Ramirez (Seat 27109-must be member of public experienced in consumer advocacy); Ruach Graffis (Seat 27114-must be member of public with interest/experience in local govt.), terms expiring April 27, 1998, for new two year terms ending April 27, 2000.
(Continued from 4/12)

5 Seats/7 applicants

Bruce Brugmann (incumbent Seat 2)
David Pilpel (incumbent Seat 8)
Ruach Graffis (incumbent Seat 14)
Neil Eisenberg
Jerry Windley
L. J. Dolin
Stuart Smith

ACTION: Hearing held. Consideration continued to May 12.

2. File 282-97-1. [Translators - Court System] Hearing to consider the shortage of translators in the Court System, and to investigate whether San Francisco is in compliance with California Senate Bill 1304, a comprehensive Court Interpreter Program administered by the Judicial Council. (Supervisor Ammiano)
(Continued from 4/12)

ACTION: Hearing held. Consideration continued to call of the chair.

3. File 92-97-50. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Frances Doherty (Seat 26703 - must be painting contractor); Bartholomew Murphy (Seat 26710 - must be residential owner); Carolyn Gold (Seat 26712 - must represent tenant organization); Jordan Rinker, M.D. (Seat 26717 - must be a physician); Richard McGuire (Seat 26721 - must represent S.F. Housing Authority [ex-officio member]); Angela Hodgson (Seat 26722 - must be a parent); and Thomas A. Lewis (Seat 26723 - must be a painting contractor), terms expired December 22, 1997, for new four-year terms ending December 22, 2001. (Clerk of the Board)

7 Seats/1 applicant

Curtournale, succeeding Bartholomew Murphy (Seat 26710—must be residential owner)

ACTION: Hearing held. Appointment of Curtournale recommended. (See File 98-0684). Consideration of remaining appointments continued to call of the chair.

File 98-0684. Curtournale, succeeding Bartholomew Murphy (Seat 26710—must be residential owner), term expired December 22, 1997, for a new four-year term ending December 22, 2001. Resolution prepared in and reported out of committee entitled, "Appointing member to the Lead Hazard Reduction Citizens Advisory Committee". RECOMMENDED. (See File 92-97-50 for remaining appointments)

4. File 92-97-41. [Appointments, Adult Day Health Care Planning Council] Hearing to consider appointing member to the Adult Day Health Care Planning Council succeeding Michael Kwok (Seat 20016 – must be a functionally impaired adult), term expired September 30, 1997, for a new three-year term ending September 30, 2000. (Clerk of the Board)

1 Seat/1 applicant

Cheryl Damico

ACTION: Hearing held. Appointment of Cheryl Damico recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Adult Day Health Care Planning Council"; RECOMMENDED.

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

5. File 98-0588. [Sandler v. CCSF] Ordinance approving settlement agreement in Sandler v. City and County of San Francisco. (U.S.D.C. Northern California No. C94-1334 SI). (City Attorney)

ACTION: RECOMMENDED.

6. File 98-0617. [Robert Rene Mitchell v. CCSF, et al.] Ordinance authorizing settlement of litigation of Robert Rene Mitchell against the City and County of San Francisco, by payment of \$80,000. (Superior Court No. 979-034). (City Attorney)

ACTION: RECOMMENDED.

7. File 98-0618 [State Farm/Yaser v. CCSF, et al.] Ordinance authorizing settlement of litigation of State Farm Fire and Casualty Company, Sami Yaser, George Yaser and dba Fell Quality Market, against City and County of San Francisco by payment of \$135,000. (Superior Court Case No. 980-058, consolidated under Superior Court Case No. 977-008). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

File 98-0530. Sunshine Ordinance Task Force, Resolution establishing policy for review of amendments. (Supervisor Ammiano) 30-day Rule expires 4/29/98.



CALENDAR

Act. Taken

DOCUMENTS DEPT.

REGULAR MEETING

RULES COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

MAY 14 1998

SAN FRANCISCO
PUBLIC LIBRARY

TUESDAY, MAY 12, 1998 - 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: MARY L. RED

1. File 98-0499. [Appointment, Sunshine Ordinance Task Force] Hearing to consider appointing members to the Sunshine Ordinance Task Force succeeding Bruce Brugmann (Seat 27102--must be local journalist nominated by Society of Prof. Journalists); Charlotte Berk (Seat 27104--must be nominee of League of Women Voters); David Pilpel (Seat 27108--must be member of public experienced in consumer advocacy); Enrique Ramirez (Seat 27109--must be member of public experienced in consumer advocacy); Ruach Graffis (Seat 27114--must be member of public with interest/experience in local govt.), terms expiring April 27, 1998, for new two year terms ending April 27, 2000.
(Continued from 4/28)

5 Seats/9 applicants

Bruce Brugmann (incumbent Seat 2)
 David Pilpel (incumbent Seat 8)
 Ruach Graffis (incumbent Seat 14)
 Neil Eisenberg
 Jerry Windley
 L. J. Dolin
 Stuart Smith
 Thomas Campbell-Reed
 Amelia Ashley-Ward

ACTION: Hearing held. Appointment of Bruce Brugmann; David Pilpel; Ruach Graffis; and Amelia Ashley-Ward recommended; (See File 98-0794). Consideration of remaining appointment for Seat 27104 continued to call of the chair.

- File 98-0794. Bruce Brugmann, succeeding himself (Seat 27102--must be local journalist nominated by Society of Prof. Journalists); David Pilpel, succeeding himself (Seat 27108--must be member of public experienced in consumer advocacy); Amelia Ashley-Ward, succeeding Enrique Ramirez (Seat 27109--must be member of public experienced in consumer advocacy); Ruach Graffis, succeeding herself (Seat 27114--must be member of public with interest/experience in local govt.), terms expired April 27, 1998, for new two year terms ending April 27, 2000. Recommended, resolution prepared in and reported out of committee entitled, "Appointing members to the Sunshine Ordinance Task Force." RECOMMENDED. (See File 98-0499 for remaining appointment)

2. File 98-0530. [Sunshine Ordinance Task Force] Resolution establishing a policy to involve the Sunshine Task Force in the consideration and review of proposed amendments to the City's Sunshine Ordinance. (Supervisor Ammiano)
(30-Day Rule expired on 4/29/98)

ACTION: Hearing held. Amendment of the Whole (as presented by Supervisor Ammiano) accepted; same title. RECOMMENDED AS AMENDED.

3. File 98-0350. [Public Participation] Hearing to consider how to increase public participation in the business of the Board of Supervisors. (Supervisor Yee)

ACTION: Hearing held. Consideration continued to call of the chair.

4. File 98-0351. [Instant Runoff Voting] Hearing to consider feasibility of an instant runoff voting system for local elective office. (Supervisor Ammiano)

ACTION: Hearing held. Consideration continued to call of the chair.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

5. File 98-0652. [Wayne Quan, v. CCSF, et al] Ordinance authorizing settlement of litigation of Wayne Quan against James Robinson and the City and County of San Francisco by payment of \$45,000. (Superior Court No 981-627). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

None at this time.

90.84

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/26/98

CALENDAR Action Taken

RESCHEDULED MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

MAY 28 1998

SAN FRANCISCO
PUBLIC LIBRARY

TUESDAY, MAY 26, 1998 - 11:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: MARY L. RED

1. File 98-0586. [Appointment, Animal Control & Welfare Commission] Hearing to consider appointing members to the Animal Control & Welfare Commission succeeding Sheila Martin (Seat 20707-must be licensed veterinarian); June Wilson (Seat 20702-must be public at large); Catherine Tchen-Kenna (Seat 20701-must be public at large); terms expired April 30, 1998, for new two year terms ending April 30, 2000. (Clerk of the Board)

3 Seats/3 Applicants

ACTION: Hearing held. Appointment of Dr. Sheila Martin, June Wilson and Catherine Tchen-Kenna, recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Animal Control & Welfare Commission." RECOMMENDED.

2. File 98-0735. [Conflict of Interest Code, Redevelopment Agency] Ordinance amending Administrative Code by amending Chapter 58 to incorporate changes in the designated positions and disclosure categories for the Redevelopment Agency's Conflict of Interest Code and to add a definition of consultant. (City Attorney)

ACTION: Hearing held. RECOMMENDED.

3. File 98-0736. [Conflict of Interest Code, Dept of Public Health] Ordinance amending Administrative Code by amending Chapter 58 to delete a designated position (Institutional Police Officer), in the Public Health Department's Conflict of Interest Code. (City Attorney)

ACTION: Hearing held. RECOMMENDED.

4. File 97-97-37. [Public Record, Contract/Bid Raters] Ordinance amending Administrative Code Section 67.24 to specify that the evaluation forms and names of persons serving as raters for any City contract selection or bidding procedures would be subject to public inspection after the evaluation process has been completed. (Supervisor Ammiano)

ACTION: Consideration continued to call of the Chair.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

5. File 98-0728. [CCSF v. Bank of America NT & SA] Ordinance authorizing settlement of litigation of City and County of San Francisco, entitled "City and County of San Francisco v. Bank of America NT & SA", for \$38,000. (Superior Court No. 988-950). (City Attorney)

ACTION: RECOMMENDED.

6. File 98-0740. [Cazahous v. CCSF, et al.] Ordinance authorizing settlement of the litigation of Cazahous v. City and County of San Francisco, et al., by payment of \$30,000. (Superior Court No. 985-824). (City Attorney)

ACTION: RECOMMENDED.

7. File 98-0801. [Zoya Dayter, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Zoya Dayter against the City and County of San Francisco by payment of \$42,500. (Superior Court No. 983-167). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

June 5, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of* DOCUMENTS DEPT.

SUBJECT: June 9, 1998 Rules Committee Meeting

JUN 09 1998

SAN FRANCISCO
PUBLIC LIBRARY

Item 2 – File 98-844

Department: Controller's Office

Item: Resolution waiving the Statute of Limitations with respect to the payment of 40 warrants of the City and County of San Francisco, in the total amount of \$69,780.05, a legal obligation of the City and County of San Francisco.

Description: According to Section 10.181 of the Administrative Code, a warrant issued by the City becomes void one year from the date issued. According to Section 10.182 of the Administrative Code, the payee of the warrant may present the warrant to the Controller for payment up to three years from the date that it was rendered invalid or four years from the original issue date, and the Controller is authorized to draw a new warrant in favor of the payee in the same amount as the original warrant. After that point, the Controller may no longer pay such a warrant because the statute of limitations has expired, unless approval is obtained from the Board of Supervisors.

The proposed resolution would waive the statute of limitations and would authorize the Controller's Office to

Memo to Rules Committee
June 9, 1998 Rules Committee Meeting

replace 40 warrants, including 39 warrants issued to Mr. Emanuel George, a retired City employee, between February 13, 1992 and December 31, 1995 totaling \$69,695.45 and one warrant issued to Ms. Eliz George, in the amount of \$84.60.

A list the 40 warrants issued to Mr. Emanuel George and Ms. Eliz George is shown in the Attachment to this report.

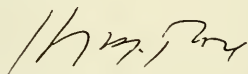
Comments:

1. According to the Controller's Office, the 39 warrants issued to Mr. Emanuel George and the one warrant issued to Ms. Eliz George were issued by the Employees Retirement System (ERS).

2. The Controller's Office reports that warrants have never been cashed and have been canceled by the Controller's Office.

3. Mr. Madden advises that there are sufficient funds in the FY 1997-98 Retirement System Trust Account to pay for the new warrants which would be reissued by the Controller's Office.

Recommendation: Approve the proposed resolution.



Harvey M. Rose

cc: Supervisor Ammiano	Supervisor Teng
Supervisor Yee	Supervisor Yaki
Supervisor Brown	Clerk of the Board
President Kaufman	Controller
Supervisor Bierman	Gail Feldman
Supervisor Katz	Matthew Hymel
Supervisor Leno	Stephen Kawa
Supervisor Medina	Ted Lakey
Supervisor Newsom	

<u>Payee</u>	<u>Warrant No.</u>	<u>Date Issued</u>	<u>Amount</u>
01. Emanuel George	550-3339415	02-13-92	\$ 7,778.60
02. Emanuel George	550-3348645	02-21-92	\$ 10,697.29
03. Emanuel George	550-3348647	02-21-92	\$ 24,334.21
04. Emanuel George	550-3483455	09-04-92	\$ 3,657.43
05. Eliza George	550-3348646	02-21-92	\$ 84.60
06. Emanuel George	500-3504462	12-31-92	\$ 628.84
07. Emanuel George	500-3521030	01-31-93	\$ 628.84
08. Emanuel George	500-3537706	02-28-93	\$ 628.84
09. Emanuel George	500-3554390	03-31-93	\$ 628.84
10. Emanuel George	500-3571005	04-30-93	\$ 628.84
11. Emanuel George	500-3587599	05-31-93	\$ 628.84
12. Emanuel George	500-3604273	06-30-93	\$ 628.84
13. Emanuel George	500-3654254	09-30-93	\$ 663.35
14. Emanuel George	500-3670821	10-31-93	\$ 663.35
15. Emanuel George	500-3687357	11-30-93	\$ 663.35
16. Emanuel George	500-3703899	12-31-93	\$ 663.35
17. Emanuel George	500-3720343	01-31-94	\$ 663.35
18. Emanuel George	500-3736788	02-28-94	\$ 663.35
19. Emanuel George	500-3753200	03-31-94	\$ 663.35
20. Emanuel George	500-3777009	04-30-94	\$ 663.35
21. Emanuel George	500-3793396	05-31-94	\$ 663.35
22. Emanuel George	500-3809754	06-30-94	\$ 663.35
23. Emanuel George	500-3826138	07-31-94	\$ 673.86
24. Emanuel George	500-3842510	08-31-94	\$ 673.86
25. Emanuel George	500-3858990	09-30-94	\$ 673.86
26. Emanuel George	500-3876171	10-31-94	\$ 673.86
27. Emanuel George	500-3892638	11-30-94	\$ 673.86
28. Emanuel George	500-3909152	12-31-94	\$ 673.86
29. Emanuel George	500-3941890	01-31-95	\$ 673.86
30. Emanuel George	500-3958336	02-28-95	\$ 673.86
31. Emanuel George	500-3974822	03-31-95	\$ 673.86
32. Emanuel George	500-3991308	04-30-95	\$ 673.86
33. Emanuel George	500-4007787	05-31-95	\$ 673.86
34. Emanuel George	500-4024279	06-30-95	\$ 673.86
35. Emanuel George	500-4040764	07-31-95	\$ 684.37
36. Emanuel George	500-4057246	08-31-95	\$ 684.37
37. Emanuel George	500-4073725	09-30-95	\$ 684.37
38. Emanuel George	500-4090254	10-31-95	\$ 684.37
39. Emanuel George	500-4106772	11-30-95	\$ 684.37
40. Emanuel George	500-4123201	12-31-95	\$ 684.37

Total

\$69,780.05



70.84
2
/9/98

CALENDAR Action Taken
**REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO**

DOCUMENTS DEPT.
JUN 11 1998
SAN FRANCISCO
PUBLIC LIBRARY

TUESDAY, JUNE 9, 1998 – 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

MEMBERS: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: MARY L. RED

1. File 92-97-32. [Appointments, Park and Open Space Advisory Committee] Hearing to consider appointing member to the Park and Open Space Advisory Committee, succeeding Gregory J. Garr (Seat 23313 – must be nominee of Supervisor Yaki from list of organizations), term expired July 15, 1997, for new two-year term ending July 15, 1999. (Clerk of the Board) (Continued from 2/24)

Applicant: Mable Ng (Nominee of Supervisor Yaki/S.F. Beautiful)

ACTION: Hearing held. Appointment of Mable Ng recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Park and Open Space Advisory Committee"
RECOMMENDED.

2. File 98-0844. [Statute of Limitations] Resolution waiving the statute of limitations with respect to payment of certain warrant of the City and County of San Francisco, in the amount of \$69,780.05, a legal obligation of the City and County of San Francisco. (Controller)

ACTION: RECOMMENDED.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

3. File 98-0843. Schiefer v. CCSF, et al] Ordinance authorizing settlement of litigation of Catherine M. Schiefer v. City and County of San Francisco, et al., by payment of \$60,000, (Superior Court No. 986-705). (City Attorney)

ACTION: RECOMMENDED.

4. File 98-0876. [Patrick Wong, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Patrick Wong against the City and County of San Francisco by payment of \$45,000. (Superior Court No. 975-085). (City Attorney)

ACTION: RECOMMENDED.

5. File 98-0877. [Hosea Larue Shaw, Jr. et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Hosea Larue Shaw, Jr., et. al. against the City and County of San Francisco by payment of \$50,000. (Superior Court No. 986-117). (City Attorney)

ACTION: RECOMMENDED.

6. File 98-0878. [CCSF, v. Assessment Appeals Bd.1/Federal Reserve] Ordinance authorizing settlement of litigation of the City and County of San Francisco's lawsuit against the San Francisco Assessment Appeals Board Number 1 (the nominal defendant) and the Federal Reserve Bank (the real party in interest), and applications for reduced property tax assessments pending before the San Francisco Assessment Appeals Board by refunding \$583,924 plus interest on any delay in payment beyond August 15, 1998.

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

30-day Rule expires 6/17/98 for all Charter amendments listed.

File 98-0825. [Charter Amendment, Customer Service Plan] Charter amendment (First Draft). (Supervisor Newsom)

File 98-0826. [Charter Amendment, Taxi Commission] Charter amendment (First Draft). (Supervisor Newsom)

File 98-0827. [Charter Amendment, Police Officer Retirement] Charter amendment (First Draft). (Supervisors Kaufman, Newsom, Teng)

File 98-0828. [Charter Amendment, Firefighter Retirement] Charter amendment (First Draft). (Supervisor Medina)

File 98-0829. [Charter Amendment, Health Care Purchasing Authority] Charter amendment (First Draft). (Supervisor Katz)

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

June 19, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of.*

SUBJECT: June 23, 1998 Rules Committee Meeting

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Item 1 - File 98-825

**Proposed Ballot
Measure:**

Charter Amendment adding Section 16.120 requiring each City and County department to adopt an annual Customer Service Plan in a format to be determined by the Board of Supervisors by ordinance.

Draft: First

Section Affected: Section 16.120

Description: The proposed Charter Amendment would add a new section to the City's Charter to require that each department in the City and County of San Francisco adopt an annual Customer Service Plan, in a format which would be determined by ordinance of the Board of Supervisors. The Customer Service Plan would establish each City departments' guidelines and procedures for working with the public in providing that department's services. Under the proposed Charter Amendment, the Board of Supervisors could excuse a department from particular requirements of the

ordinance where the Board finds that compliance would be inappropriate or impractical. Each City and County department would be required to file its Customer Service Plan with the Board of Supervisors no later than February 1st of each year, along with a report on how the department met the previous year's Plan, if any.

Comments:

1. Mr. Tom Owen of the City Attorney's Office reports that language was included in the proposed Charter Amendment to allow the Board of Supervisors to excuse a City or County department from the particular requirements of the ordinance, if compliance is inappropriate or impractical. According to Mr. Owen, depending on the particular format and requirements that would be contained in a future ordinance to be approved by the Board of Supervisors, some City departments, may need to be excused from the requirements of the ordinance if for example, the Department does not have direct contact with the public or where compliance would require disclosure of information that is confidential or privileged.

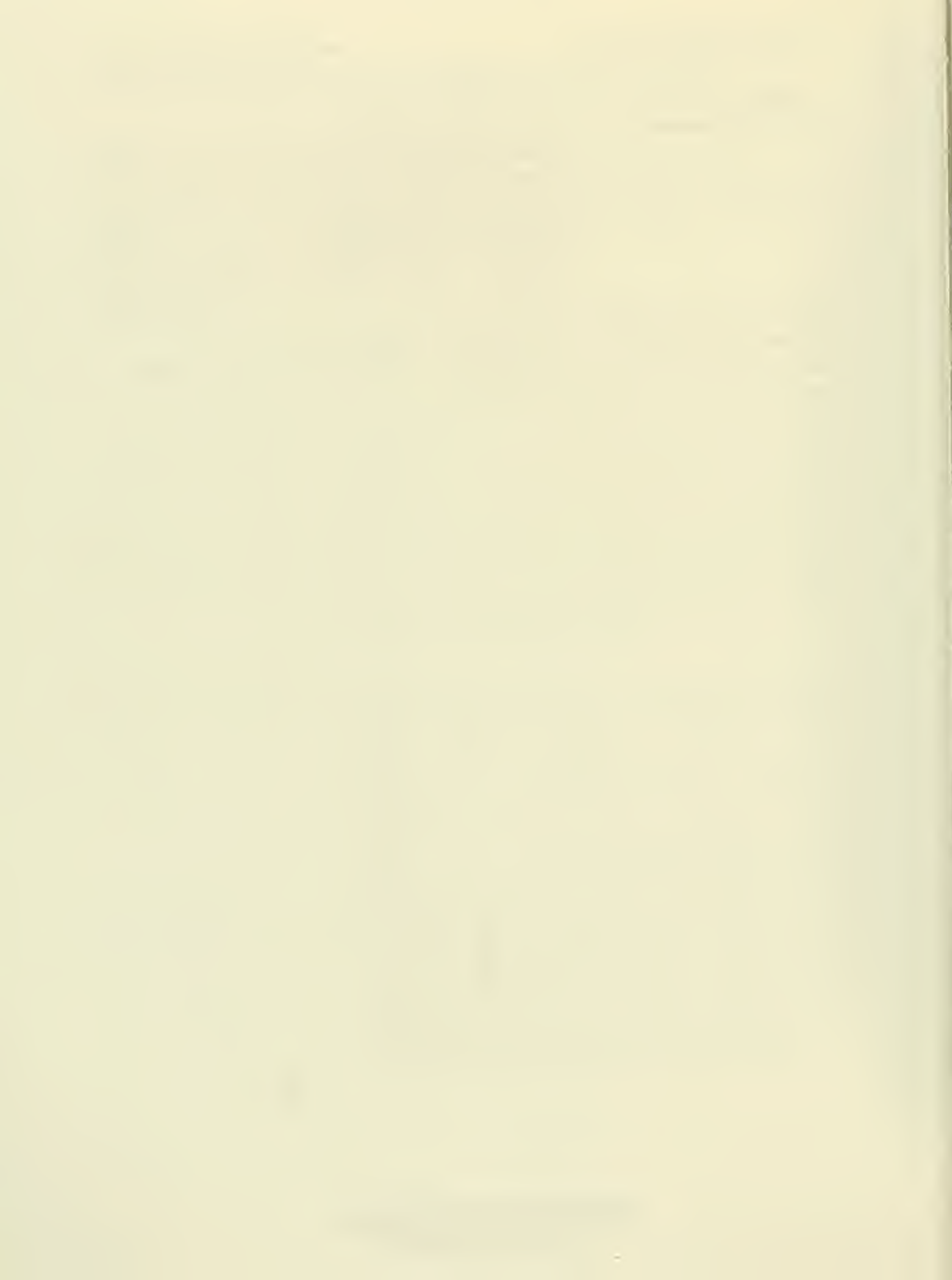
2. The Office of the sponsor of the proposed Charter Amendment reports that the Department of Public Works (DPW) has prepared a Customer Service Plan and has been implementing customer service practices the past year that could be the model for the type of Customer Service Plans and activities that other City and County departments should adopt, if the proposed Charter Amendment is approved. According to Ms. Tina Olson of the DPW, the Department did not incur any additional costs to prepare their Customer Service Plan. However, Ms. Olson reports that in FY 1997-98 DPW received an additional \$50,000 to train DPW employees on how to more effectively and cooperatively work with the public and to improve the quality and efficiency of services provided.

**Effect on the Cost
Of Government:**

According to the Controller's Office, the proposed Charter Amendment would not in and of itself increase the cost of government. However, the Controller's Office reports that City departments might incur some increased costs in amounts presently indeterminable to implement the Customer Service Plan. The Budget Analyst concurs.

Recommendation:

Approval is a policy matter for the Board of Supervisors.



Item 2 - File 98-826

Proposed Ballot

Measure: Charter Amendment adding Section 4.133 to create a Taxi Commission and transfer the powers and responsibilities relating to taxicabs and other motor vehicles for hire, other than criminal enforcement, from the Police Commission, Chief of Police, and the Police Department to the new Taxi Commission.

Draft: First

Sections Affected: Addition of Section 4.133. No other Charter Sections are affected.

Description: Currently, the Police Commission, Chief of Police, and the Police Department have authority over taxicabs and other motor vehicles for hire, including the issuance of new permits to operate taxis and other motor vehicles for hire. The proposed Charter Amendment would add Section 4.133 which provides for the creation of a Taxi Commission which would assume authority for taxicabs and other motor vehicles for hire, effective March 1, 1999.

Under the proposed Charter Amendment, the Taxi Commission would be structured as follows:

- The Taxi Commission would consist of seven members appointed by the Mayor, including: (1) one member from the senior or disabled communities; (2) one taxicab driver who does not hold a taxicab medallion; (3) one manager in a taxicab company; (4) one member of the hospitality industry; (5) one member who uses taxicabs as a part of his or her business activities; (6) one member from the neighborhoods; and (7) one member of the general public not affiliated with any of the other enumerated categories.
- Of the first seven commissioners to serve on the Taxi Commission, the terms of three of the commissioners would expire after one year and the terms of the remaining four commissioners would expire after two years. Upon the expiration of these terms, all subsequent members will serve for two-year terms.

Comments:

1. If the proposed Charter Amendment is approved by the voters, the powers and responsibilities relating to taxicabs and other motor vehicles for hire, other than criminal enforcement, would be transferred from the Police Commission, Chief of Police, and the Police Department to the new Taxi Commission. Such powers and responsibilities include: (a) issuing and revoking permits (medallions) to operate a taxi or other motor vehicle for hire, (b) conducting public hearings, (c) investigating the background of applicants who want to obtain permits to operate a taxi or other motor vehicle for hire, (d) setting operating permit application fees, subject to approval by the Board of Supervisors (e) equipment inspections, (f) handling complaints, (g) regulatory enforcement, such as driver education requirements, addressing safety issues, and inspecting equipment.

2. The Police Department estimates that, in FY 1997-98, it will collect a total of \$450,000 to \$500,000 in taxi and other motor vehicle for hire related fees. If the proposed Charter Amendment is approved, such monies would be collected and used by the Taxi Commission to perform its duties, subject to appropriation approval of the Board of Supervisors.

3. According to Officer Farrell Suslow of the Police Department's Taxi Detail, presently the Police Department expends approximately \$1 million annually to regulate taxicabs and other motor vehicles for hire. Officer Suslow notes that the regulatory mandate of the SFPD Taxi Detail makes no distinction between criminal and non-criminal enforcement.

4. The Police Department reports that the Taxi Detail staff of seven positions includes one Sergeant, four Police Officers, and two support staff. In addition, all required mechanical inspections of taxis and other motor vehicles for hire are carried out by the SFPD Airport Bureau by 3.5 FTE Police Officer positions at an estimated annual cost of \$200,000.

**Effect on the Cost
Of Government:**

The Attachment is the Controller's estimate of the additional cost of the proposed Charter Amendment. The Controller's Office estimates that if the proposed Charter Amendment is enacted, it would not, in and of itself increase the cost of government. The Controller continues that costs could be

REVISED June 22, 1998
Item 2 – File 98-826

increased in indeterminable, but probably not significant, amounts to adequately staff the new commission.

The Budget Analyst notes that, according to the Office of the Sponsor, if the proposed Charter Amendment is approved by voters, it would be requested that one new Secretary position be created to staff the Taxi Commission (subject to approval by the Board of Supervisors). The Budget Analyst estimates that annual salary, fringe benefit and related costs for one new Secretary position would range from \$49,000 to \$60,000. The Office of the Sponsor also advises that, if the proposed Charter Amendment is approved, an amendment to the Administrative Code would be submitted for consideration to the Board of Supervisors to provide compensation to the seven members of the Taxi Commission, estimated at \$25 per meeting, or \$175 per Taxi Commission meeting (7 members times \$25). At this time, it is not known how often the Taxi Commission would meet, therefore an estimate of the total annual cost of compensation to Commission members for meetings can not be determined.

Recommendation: Approval is a policy matter for the Board of Supervisors.

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BOARD OF SUPERVISORS
BUDGET ANALYST



Edward Harrington
Controller

John W. Madden
Chief Assistant Controller

June 18, 1998

John L. Taylor, Clerk of the Board
Board of Supervisors
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

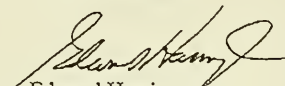
Re: File No. 98-0826 Proposed Charter Amendment relating to Taxi Commission

Dear Mr. Taylor:

Should the proposed charter amendment be approved by the voters, in my opinion, it would not, in and of itself increase the cost of government.

Creation of a new commission and the implementation of regulations governing taxi cabs and other motor vehicles for hire might result in the transfer of functions and personnel from the Police Department to the new Taxi Commission or costs could be increased in indeterminable, but probably not significant, amounts to adequately staff the new commission.

Very truly yours,



Edward Harrington
Controller

chart11/98.3

increased in indeterminable, but probably not significant, amounts to adequately staff the new commission.

The Budget Analyst notes that, according to the Office of the Sponsor, if the proposed Charter Amendment is approved by voters, it would be requested that two new positions be created to staff the Taxi Commission, one Executive Director and one Secretary (subject to approval by the Board of Supervisors). The Budget Analyst estimates that annual salary, fringe benefit and related costs for these two new positions would range from \$140,000 to \$170,000. The Office of the Sponsor also advises that, if the proposed Charter Amendment is approved, an amendment to the Administrative Code would be submitted for consideration to the Board of Supervisors to provide compensation to the seven members of the Taxi Commission, estimated at \$25 per meeting, or \$175 per Taxi Commission meeting (7 members time \$25). At this time, it is not known how often the Taxi Commission would meet, therefore an estimate of the total annual cost of compensation to Commission members for meetings can not be determined.

Recommendation: Approval is a policy matter for the Board of Supervisors.

Edward Harrington
ControllerJohn W. Madden
Chief Assistant Controller

June 18, 1998

John L. Taylor, Clerk of the Board
Board of Supervisors
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

Re: File No. 98-0826 Proposed Charter Amendment relating to Taxi Commission

Dear Mr. Taylor:

Should the proposed charter amendment be approved by the voters, in my opinion, it would not, in and of itself increase the cost of government.

Creation of a new commission and the implementation of regulations governing taxi cabs and other motor vehicles for hire might result in the transfer of functions and personnel from the Police Department to the new Taxi Commission or costs could be increased in indeterminable, but probably not significant, amounts to adequately staff the new commission.

Very truly yours,

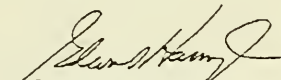

Edward Harrington
Controller

chart11/98.3

Item 3 - File 98-827

Proposed Ballot

Measure: Charter Amendment amending Appendices A8.559 and A8.586 to upgrade the Tier 2 retirement benefits for sworn members of the Police Department and to cap the amount of additional compensation due to the possession of a State Peace Officers Standards and Training (POST) certificate that can be included in calculations of both Tier 1 and Tier 2 benefits.

Draft: First

Sections Affected: Appendices A8.559 and A8.586

Description: The proposed Charter Amendment would improve retirement benefit provisions for the Employees Retirement System members of the Police Department hired after November 1, 1976. Such members are known as "Tier 2" members, as distinguished from "Tier 1" members who were hired prior to November 1, 1976, and who receive higher retirement benefits than Tier 2 members.

Currently, Tier 2 members receive retirement benefits as follows:

Service Retirements: Members with 25 years or more of service who have attained the age of 50 and have 25 years or more of credited service receive 50 percent of their average final compensation plus an additional 3 percent for each year in excess of 25 years up to a maximum of 70 percent of average final compensation. Average final compensation is defined as the average of monthly base salary earned during the highest consecutive three-year pay periods for which service was credited.

Duty Disability Retirement Benefits: Members who are incapacitated to the extent that they cannot perform their duties due to injuries received while performing their duties are eligible for benefits regardless of the length of service. The benefit allowance is 50 percent of average final compensation, with benefits recalculated at the time a member would have become eligible for service retirement based on the salary of the rank at that time and the assumption that the member would have earned credited service during the period of disability.

Proposed

Provisions: The proposed Charter Amendment would increase pension benefits for Tier 2 members as follows:

Service Retirements: Members with 25 years or more of service who have attained the age of 50 and have 25 years or more of credited service would receive the larger of (a) 2 percent of final compensation for each of the first 25 years of service, then 3 percent of final compensation for each year of service rendered in excess of 25 years; or (b) the percent of final compensation set forth opposite his or her age at retirement, computed in accordance with the schedule below:

Retirement <u>Age</u>	Percent for Each Year of Credited <u>Service</u>
50	2.000
50.25	2.035
50.5	2.070
50.75	2.105
51	2.140
51.25	2.175
51.5	2.210
51.75	2.245
52	2.280
52.25	2.315
52.5	2.350
52.75	2.385
53	2.420
53.25	2.455
53.5	2.490
53.75	2.525
54	2.560
54.25	2.595
54.5	2.630
54.75	2.665
55	2.700

Under the proposed Charter Amendment, the retirement allowance would not exceed 75 percent of a member's average final compensation, compared to a maximum of 70 percent under the current Charter.

Duty Disability Retirement Benefits: The benefit allowance for members who are incapacitated due to injuries received in the line of duty would range from 50 percent to 90 percent of average final compensation, depending on the degree of disability, compared to 50 percent allowed under current Charter provisions. As is now the case, the benefit allowance would be recalculated at the time the member would have become eligible for service retirement if he or she had continued to work during the period of disability. The recalculation would be based on the same benefit improvements as outlined in the Service Retirements description and in the Table shown above.

Additional Compensation for State Peace Officers Standards and Training (POST) Certificates

The proposed Charter Amendment would cap the amount of compensation due to possession of a State Peace Officers Standards and Training (POST) certificate which could be included in the final compensation for purposes of calculating retirement benefits of both Tier 1 and Tier 2 benefits. Sworn members of the Police Department may earn intermediate and advanced POST certificates through a combination of college course credits, years of law enforcement experience, and Police Academy training. Sworn members of the Police Department receive additional compensation equal to four percent of their base salary, if they hold an intermediate POST certificate or six percent of their base salary for possession of an advanced POST certificate.

The Police Department reports that approximately 1,319 of a total of 2,021 sworn members of the Police Department, or approximately 65 percent, hold a POST certificate. Under the proposed Charter Amendment, the calculation of final compensation for retiring Tier 1 and Tier 2 sworn members of the Police Department could include up to a maximum of either four or six percent of any increase in compensation obtained by possession of either an intermediate or advanced POST certificate. Therefore, if Police Officers are granted a higher percentage of compensation in future bargaining agreements for possession of a POST certificate, such increased compensation would not be included in the final compensation calculation for retirement benefits.

Comments:

1. The proposed Charter Amendment would, if approved, result in Tier 2 members of the Police Department receiving improved retirement benefits that would, in some cases, remain slightly lower than Tier 1 members. However, Tier 2 members would, if they reach the maximum of 75 percent of average final compensation, receive benefits equal to Tier 1 members in the initial year of their retirement.
2. The proposed Charter Amendment would provide Police Department Tier 2 members with the same retirement benefits as those that have been provided to Tier 2 Firefighters as a result of a similar Charter Amendment approved by the electorate in November, 1996.

**Effect on the Cost
Of Government:**

According to Mr. Kieran Murphy, Actuary for the Employees Retirement System, the increased annual cost of the proposed Charter Amendment, using existing actuarial assumptions, would be \$3.9 million annually in additional employer retirement contributions paid by the City for the next 20 years. After 20 years, the increased cost paid by the City would be approximately \$2.0 million annually.

However, Mr. Murphy advises that because the Retirement Fund of the Employees Retirement System is currently overfunded, it is expected that, if the proposed Charter amendment were to be approved, the cost to the City would be deferred until the current surplus in the Retirement Fund is amortized, or approximately 15 to 20 years from now.

The Controller's Office concurs with the estimate by Employees Retirement System of \$3.9 million annually in additional employer retirement contributions paid by the City for the next 20 years. However, after 20 years, the Controller estimates that the increased cost paid by the City would be approximately \$2.3 million annually.

Recommendation: Approval is a policy matter for the Board of Supervisors.

Item 4 - File 98-828

Proposed Ballot

Measure: Charter Amendment amending Appendix A8.588 relating to retirement benefits for firefighters who were previously paramedics.

Draft: First

Section Affected: Appendix A8.588

Description: The proposed Charter Amendment would amend Appendix A8.588 of the City's Charter to permit the time during which an employee earned compensation as a paramedic with the Department of Public Health (DPH) to be included in the computation of the service to be credited to that employee of the Fire Department, for the purposes of determining whether that employee qualified for retirement and for calculating retirement benefits.

In February of 1998, approximately 175 Paramedics and Paramedic Supervisors were transferred from the DPH to newly created positions (H-1, Fire Rescue Paramedics and H-33, Captain, Emergency Medical Services) in the Fire Department. For retirement purposes, the time served by these Paramedics and Paramedic Supervisors, while employees of DPH, was included under the City's Miscellaneous Retirement Plan provisions and the time served after the transfer to the Fire Department would earn retirement service credit under the Fire and Safety Retirement Plan provisions, which is the Retirement Plan for uniformed employees of the Fire Department.

In addition, the Board of Supervisors approved a Memorandum of Understanding (MOU) in January of 1998 between the Service Employees International Union (SEIU), Local 790 and the City for the Fire Department's H-1 Fire Rescue Paramedics and the H-33 Captain, Emergency Medical Services, for the two-year period retroactive from July 1, 1997 through June 30, 1999. Under the retirement provisions of this

BOARD OF SUPERVISORS
BUDGET ANALYST

approved MOU, the Mayor and the Board of Supervisors agreed to place on the ballot no later than November of 1998, and support the adoption by the voters of a proposed Charter Amendment allowing the paramedic's years of service under the City's Miscellaneous Retirement Plan to be counted as years of service under the Fire and Safety Retirement Plan. The proposed Charter Amendment would fulfill the requirements of this previously approved MOU.

Under the proposed Charter Amendment, for those employees in paramedic positions who formerly worked for the DPH, but who now work for the Fire Department since the paramedic functions of the DPH were transferred to the Fire Department, the accumulated contributions on account of the DPH employees' service would be transferred to the employees' retirement account in the Fire Department. Alternatively, if the paramedic's accumulated contributions were previously refunded while a DPH employee, the accumulated contributions would be deposited with interest from the date of refund to the date of redeposit, to the Fire Department employee's retirement account in the Fire Department, at times and in the manner fixed by the Retirement Board. The Retirement Board shall require that a waiver be executed by each employee that qualifies so that any paramedic service transferred under the proposed Charter Amendment would not also be used in calculating any other pension benefits.

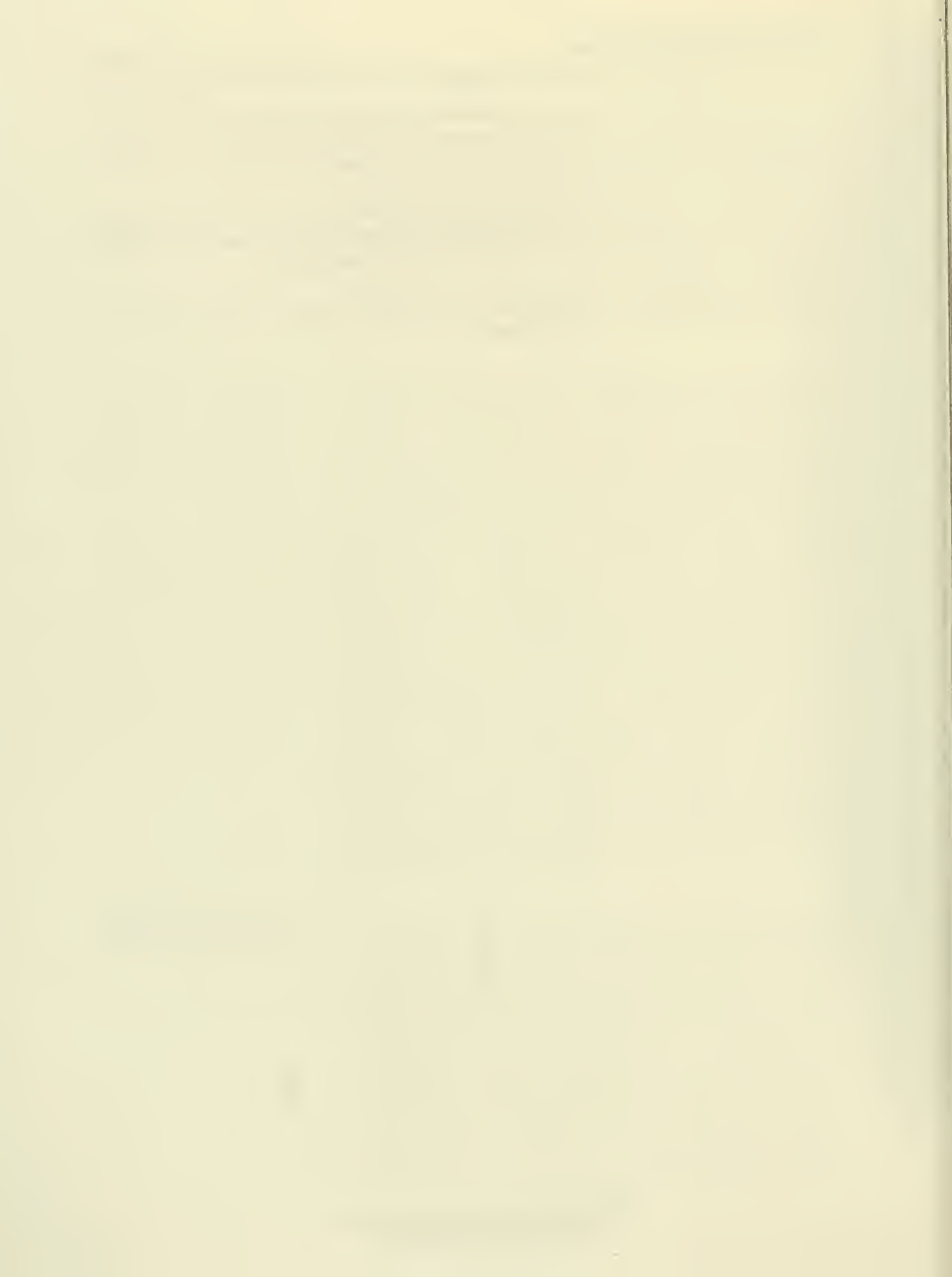
**Effect on the Cost
Of Government:**

According to Mr. Kieran Murphy of the Retirement System, the proposed Charter Amendment would result in a cost of approximately \$7.0 million. Mr. Murphy states that this cost would be spread over a 20-year period, resulting in an increase in City retirement costs of approximately .55 percent of Firefighter salaries. Currently, that would amount to approximately \$485,000 per year. However, Mr. Murphy notes that, if the proposed Charter Amendment is approved, no additional General Fund contribution to the Retirement System would

be necessary for the next approximately 15 to 20 years, because the Retirement System currently has a large surplus of funds available.

The Controller's Office concurs with the estimate by the Employees Retirement System of the fiscal impact of this Charter Amendment.

Recommendation: Approval is a policy matter for the Board of Supervisors.



Item 12 - File 98-888

Department: Department of Parking and Traffic

Item: Ordinance amending Article I, Chapter XVI, Part I of the San Francisco Municipal Code (Administrative Code) by amending Section 16.6-15 thereto, providing for the representation of the Parking Authority in certain organizations.

Description: The proposed ordinance would amend the Administrative Code by adding the International Parking Institute to the Membership List of the Parking Authority and deleting the International Municipal Parking Congress from the Membership List.

Comments:

1. According to Ms. Julia Dawson of the Department of Parking and Traffic, the International Parking Institute was formerly known as the International Municipal Parking Congress and changed its name in 1998. The International Municipal Parking Congress has been on the Membership List of the Parking Authority since at least 1981. The proposed legislation recognizes this name change by deleting the International Municipal Parking Congress from the Parking Authority's Membership List and adding the International Parking Institute.
2. Ms. Dawson advises that the membership fees for the International Parking Institute of \$425 annually are currently included in the Department of Parking & Traffic's Administration budget for FY 1998-99.

Recommendation: Approve the proposed ordinance.



Item 13 - File 98-889

Department: Department of Parking and Traffic (DPT)

Item: Ordinance amending Article I, Chapter XVI, Part I of the San Francisco Municipal Code (Administrative Code) by adding Section 16.6-61 thereto, providing for the representation of the Department of Parking and Traffic in certain organizations.

Description: The proposed ordinance would amend the Administrative Code by adding the following five organizations to the Membership List of DPT:

American Management Association	\$250
California Public Parking Association	300
International Parking Institute	450
International Personnel Management Association.	125
San Francisco Planning and Urban Research	<u>75</u>
Total Cost	\$1,200

Comments:

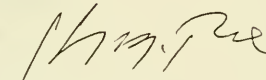
1. Currently neither of the two organizations (the California Public Parking Association and the International Parking Institute), of which the Department of Parking and Traffic is a member has been incorporated in Section 16.6 of the Administrative Code.
2. In FY 1997-98, DPT was a member of the California Public Parking Association and the International Parking Institute (formerly known as the International Municipal Parking Congress). Although funds were budgeted for these two memberships in FY 1997-98, the Administrative Code was never amended to include these memberships. Ms Julia Dawson, of the Department of Parking and Traffic, advises that this resolution will formally recognize DPT's representation in these two organizations for FY 1998-99 by amending the Administrative Code to include these two memberships. The total cost for these two annual memberships is \$750.

BOARD OF SUPERVISORS
BUDGET ANALYST

3. In addition, DPT requests that the Administrative Code be amended to include three new memberships in the American Management Association (AMA), the International Personnel Management Association (IPIA) and the San Francisco Planning and Urban Research (SPUR) for DPT. According to Ms Dawson, DPT's representation in the AMA and the IPIA is aimed at increasing the Department's personnel and management knowledge. Representation in SPUR is requested in order to keep the Department well apprised of San Francisco's development and parking related issues. The membership fees for the three new organizations comprise \$450 of that total.

4. Ms. Dawson advises that the total membership fee for these five organizations of \$1,200 is currently included in DPT's FY 1998-99 budget.

Recommendation: Approve the proposed ordinance.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Leno
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey

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CALENDAR Action Taken
REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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TUESDAY, JUNE 23, 1998 – 10:00 A.M. VETERANS BUILDING
401 VAN NESS AVE., ROOM 404

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: MARY L. RED

CHARTER AMENDMENTS

1. File 98-0825. [Charter Amendment, Customer Service Plan] Charter amendment (First Draft) adding Section 16.120 to require each department of the City and County to adopt a Customer Service Plan. (Supervisor Newsom)

ACTION: Hearing held. Charter amendment (First Draft) ORDERED SUBMITTED.

2. File 98-0826. [Charter Amendment, Taxi Commission] Charter amendment (First Draft) adding Section 4.133 creating a Taxi Commission to succeed to the powers and responsibilities relating to motor vehicles for hire now vested in the Police Commission and Police Department. (Supervisor Newsom)

ACTION: Hearing held. Amendment of the Whole, as presented by Supervisor Newsom, adopted. Amended by adding (c) providing for recovery of costs. New title: "Charter amendment (Second Draft) adding Section 4.133 creating a Taxi Commission to succeed to the powers and responsibilities relating to motor vehicles for hire now vested in the Police Commission and Police Department, and providing for recovery of costs." ORDERED SUBMITTED AS AMENDED

3. File 98-0827. [Charter Amendment, Police Officer Retirement] Charter amendment (First Draft) amending Appendix A8.559 and A8.586 relating to retirement benefits for police officers (to upgrade the tier II retirement benefits for police officers and to cap the amount of post pay that can be included in pension calculations). (Supervisors Kaufman, Newsom, Teng)

ACTION: Hearing held.. Amendment of the Whole (clerical corrections) adopted. Same title. (Second Draft) ORDERED SUBMITTED AS AMENDED.

4. File 98-0828. [Charter Amendment, Firefighter Retirement] Charter amendment (First Draft) amending Appendix A8.588 relating to retirement benefits for firefighters who were previously paramedics. (Supervisor Medina)

ACTION: Hearing held. Amendment of the Whole making clarification "uniformed members of the fire department", adopted. New title: "Charter amendment (Second Draft) amending Appendix A8.588 relating to retirement benefits for uniformed members of the fire department who were previously paramedics." ORDERED SUBMITTED AS AMENDED.

REGULAR CALENDAR

5. File 98-0628. [Appointment, Park and Open Space Advisory Cmte.] Hearing to consider appointing member to the Park and Open Space Advisory Committee succeeding Carol Lane (Seat 23314--must be nominee of Supervisor Kaufman from list of organizations) resigned, for unexpired portion of two year term ending July 15, 1999. (Clerk of the Board)

Applicant: Carolene Marks

ACTION: Hearing held. Appointment of Carolene Marks recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Park and Open Space Advisory Committee". RECOMMENDED.

6. File 98-0919. [Appointments, Advisory Dogs Off-Leash Task Force] Hearing to consider appointing members to the Advisory Dogs Off-Leash Task Force (four members - must be a designee from Coleman Advocates, Noe Courts Coalition, S.F. DOG and Fund for Animals); terms to expire on October 28, 1998. (Clerk of the Board)

4 Seats/2 applicants

Applicants: Wendy McClure, SFDOG
Virginia Handley, Fund for Animals

ACTION: Hearing held. Appointment of Wendy McClure, (Seat 3, SF DOG) recommended. (See File 98-1064). Consideration of remaining appointments continued to July 14, 1998.

File 98-1064. Appointment of Wendy McClure, (Seat 3, S.F. DOG) recommended term to expire on October 28, 1998. Resolution prepared in and reported out of committee entitled, "Appointing member to the Advisory Dogs Off-Leash Task Force." RECOMMENDED. (See remaining appointments in File 98-0919)

7. File 98-0941. [Appointments, ABAG Executive Board] Hearing to consider appointing members to the Association of Bay Area Governments Executive Board succeeding Paul Horcher (Seat 10305, alternating appointment by Mayor/Board), term expiring June 30, 1998, for new two year term ending June 30, 2000. (Clerk of the Board)

Applicant: Supervisor Katz.

ACTION: Hearing held. Appointment of Supervisor Katz recommended. Resolution prepared in and reported out of committee entitled, "Appointing Supervisor Leslie Katz as a member of the Association of Bay Area Governments, Executive Board." RECOMMENDED.

8. File 98-0756. [Appointment, Citizens Advisory Commission on Elections] Hearing to consider nominating members to the Citizens Advisory Committee on Elections for appointment by the Mayor, succeeding Peter Nardoza (Seat 30101), Gail Morthole (Seat 30102), Martha Knutzen (Seat 30103) terms ending May 15, 1998, for new four year terms ending May 15, 2002. (Clerk of the Board)

3 Seats/1 applicant

Applicant: Anne Politeo (Seat 30103)

ACTION: Hearing held. Appointment of Anne Politeo, succeeding Martha Knutzen, (Seat 30103), recommended. (See File 98-1065).
Consideration of remaining appointments continued to call of the chair.

File 98-1065. Anne Politeo, succeeding Martha Knutzen (Seat 30103), term ended May 15, 1998, for new four year term ending May 15, 2002. Resolution prepared in and reported out of committee entitled, "Nominating member for appointment by Mayor to the Citizens Advisory Commission on Elections" RECOMMENDED. (See File 98-0756 for remaining appointments).

9. File 241-97-1. [Neighborhood Representation, Boards/Commissions] Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. (Supervisor Ammiano)
(Continued from 4/14)

ACTION: Hearing held. Consideration continued to August 11.

10. File 98-0703. [Supervisors Ballot Arguments] Ordinance amending Elections Code to add Section 586 to provide that when an argument is submitted by the Board of Supervisors for publication in the voter information pamphlet, the Clerk of the Board of Supervisors shall forward to the Director of Elections a list of the supervisors who voted for submission of the argument and a list of the supervisors who voted against submission of the argument, and the Director of Elections shall include a statement disclosing the name of each supervisor who voted for and against submission of the argument immediately following the argument in the pamphlet. (Supervisor Kaufman)

ACTION: Hearing held. RECOMMENDED.

11. File 98-0806. [Sunshine Ordinance Task Force Membership] Ordinance amending Administrative Code Section 67.30 to delete the requirement for the selection of two members of the Sunshine Ordinance Task Force from names submitted by the local chapter of the Society of Professional Journalists. (Supervisor Brown)

ACTION: Hearing held. Consideration continued to July 28.

12. File 98-0888. [Parking Authority Representation in Organizations] Ordinance amending Administrative Code by amending Section 16.6-15, providing for the representation of the City and County in certain organizations. (Department of Parking and Traffic)

ACTION: Hearing held. RECOMMENDED.

13. File 98-0889. [DPT Representation in Organizations] Ordinance amending Administrative Code by adding Section 16.6-61, providing for the representation of the City and County in certain organizations. (Department of Parking and Traffic)

ACTION: Hearing held. RECOMMENDED.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

14. File 98-0932. [Luz-Mary Harris, v. CCSF, et al.] Ordinance authorizing settlement of litigation of Luz-Mary Harris against the City and County of San Francisco by payment of \$100,000. (United States District Court No. C97-3379 CW). (City Attorney)

ACTION: RECOMMENDED.

15. File 98-0933. [Susan Brown, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Susan Brown and Shannon Murphy, by and through Guardian ad Litem, Susan Brown against the City and County of San Francisco by payment \$79,000. (Superior Court 982-030). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

File 98-1017, Ballot Measure, Hotel Tax Surcharge, (Supervisors Kaufman, Ammiano), 30 day Rule expires 7/15/98.

File 98-1018, Ballot Measure, Stadium Operator Tax, (Supervisor Leno), 30 day Rule expires 7/15/98.

Watch future calendars for scheduling of this matter.

CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

July 10, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of*

SUBJECT: July 14, 1998 Rules Committee Meeting

Item 11 - File 98-977

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Department: Department of Public Works (DPW)
Department of Parking and Traffic (DPT)
Recreation and Park Department (RPD)

Item: Resolution authorizing the Department of Public Works to accept a gift of \$500,000 in cash from the Uptown Parking Corporation to be used to explore the feasibility of renovating the Union Square Garage and Plaza.

Value of the Gift: \$500,000

Description: The proposed resolution would authorize the Department of Public Works (DPW) to accept a gift of \$500,000 in cash from the Uptown Parking Corporation. The \$500,000 would be used by DPW to hire a consultant to conduct a feasibility study, including the design development and drawings, which would be used to determine the costs of renovating the Union Square Garage and Plaza.

The Union Square Garage is a four-story underground garage located at 333 Post Street, on land which is owned by the Recreation and Park Department (RPD). The Garage is operated by City Park, a private company, on a

month-to-month contract with the Parking Authority. Union Square Plaza is a public park located on top of Union Square Garage, on land also owned by RPD.

The Uptown Parking Corporation is a nonprofit organization established in cooperation with the Parking Authority and with Board of Supervisors approval to act as the issuer of \$3.6 million in Parking Revenue Bonds used to renovate the Sutter-Stockton Garage, a City-owned facility on City-owned land, in 1986. The Uptown Parking Corporation leases and operates the Sutter-Stockton Garage from the City. Uptown Parking Corporation serviced the bond debt, which was retired in 1996, with the income generated by users of the garage.

The Parking Authority, in conjunction with RPD, DPT, DPW, and private sector organizations including the Union Square Association (comprised of merchants and interested citizens) is considering funding the renovation of the Union Square Garage and Plaza with the sale of Parking Revenue Bonds, to be issued by the Uptown Parking Corporation. Issuance of the bonds by Uptown Parking Corporation would require prior approval by the Parking and Traffic Commission, Recreation and Park Commission, Planning Commission, Art Commission, the Board of Supervisors and the Mayor. Appropriation of expenditures using bond proceeds would also require approval by the Parking and Traffic Commission, the Board of Supervisors and the Mayor.

According to Ms. Julia Dawson of DPT, this subject \$500,000 gift will be used to fund a feasibility study for the renovation of the Union Square Garage and Plaza, estimated to cost \$15 million, which would include the following improvements to the garage: new parking access equipment (ticket and payment machines, such as those in the Sutter-Stockton Garage), concrete cosmetic and structural repair, new lighting, new security systems, an improved mechanical system for better ventilation, directional graphics, painting, and changes to ensure that the garage is in compliance with the Americans with Disabilities Act (ADA) requirements.

The feasibility study will also consider improvements to the Union Square Plaza, including: a leveling of the park to improve the sightliness, addition of a stage/amphitheater, building a small structure to house a ticket booth and outdoor café, and modifications to have the park area be in compliance with ADA requirements.

According to Mr. John Barber of the Parking Authority, in order for renovation on the Union Square Garage and Plaza to begin, the project is subject to environmental review, pursuant to the California Environmental Quality Act (CEQA). Mr. Barber advises that the Planning Department is currently reviewing the preliminary design plans for the renovation project and that a declaration is expected by August of 1998.

Pending approval by the Board of Supervisors of this subject legislation, DPW plans to allocate the \$500,000 cash gift to fund a contract with the Union Square Partnership, a joint venture consisting of Young & de la Sota Architects, Mock/Wallace Architects, and Philips and Fotheringham, which was selected through the City's Request for Qualifications (RFQ) process. Attachment 1 to this report, provided by the Parking Authority, includes a list ranking the firms submitting responses to the RFQ.

The Union Square Partnership would be contracted to perform the following tasks as part of the feasibility study:

- Meetings and presentations to the public, City departments involved in the project approval process (including the Departments of Planning, Building Inspection, and Recreation and Park), various Commission meetings and presentations to the Board of Supervisors.
- Preliminary studies, including engineering assessments, traffic studies, and refining of the original work plans.
- Design development, including finalizing engineering assessments, hard line drawings, and presentation documents.

- Construction documents that would be used by the general contractor and permitting for the various design elements from the Departments of Planning and Building Inspection.

The total cost of the feasibility study, to be performed by the Union Square Partnership, is estimated by DPT to be \$500,000. According to Ms. Dawson, acceptance of this subject gift of \$500,000 will provide the funds needed to complete the feasibility study and carry forward with design development, from which final project costs can be calculated. Ms. Dawson reports that if costs of the study exceed \$500,000, DPT will return to the Board of Supervisors for approval to accept an additional gift from the Uptown Parking Corporation in the amount needed.

Comments:

1. Attachment 2, provided by DPT, is an estimated budget for the subject \$500,000 gift, including hours and hourly rates of the consultant, and a statement regarding the budget for the estimated \$15 million project to renovate Union Square Garage and Plaza.

2. Attachment 3, provided by DPT, is the proposed timeline for the renovation of the Union Square Garage and Plaza.

3. Mr. Barber reports that the Union Square Garage and Plaza are important resources for business and the tourist industry, and that the economic stability of Union Square businesses is important to the City. The redesign of the Garage and Plaza would draw more people to the park and surrounding shops, according to Mr. Barber.

4. According to the Parking Authority, the selection committee which chose the Union Square Partnership through a Request for Qualifications (RFQ) process to conduct the proposed feasibility study was comprised of one representative from each of the following organizations: SPUR (San Francisco Planning and Urban Research, a nonprofit organization), the Uptown Parking Corporation, the Union Square Association (a nonprofit organization), the Planning Department, and the Parking Authority.

5. Following completion of the feasibility study and design development of the Union Square Garage and Plaza, DPT plans to request approval of the Parking Revenue Bond authorization by the Board of Supervisors in October of 1998. At that time, details regarding the total project costs, amount of the bond issuance, term of the bonds, debt service requirements, and revenue coverage will be provided.

6. The Union Square Garage has 1,100 parking spaces, and will have the same number following the proposed renovation. According to DPT, in FY 1996-97, the net revenue generated by the Union Square Garage was \$3,830,321, which was appropriated as General Fund revenue allocated to the Recreation and Park Department.

Recommendation: The proposed resolution is a policy matter for the Board of Supervisors.

DEPARTMENT OF PUBLIC WORKS
RFP SOLICITATION SUMMARYArchitecture
Bureau

Job No.: 1149H Title: Union Square Improvement Project

Scope of Work: Provide Professional Services which may include Urban Planning, Architecture, Landscape Design and Engineering.

SCORING

ORIG = Original Score WPRF = With Preference

Firms Submitting RFP	MBE WBE LBE *	Qualif.		Propos.		Interv		Total	
		ORIG	WPRF	ORIG	WPRF	ORIG	WPRF	ORIG	WPRF
Komorousus-Towey Heller Manus JV	MBE/ LBE					242.25	266.47 5	242.2 5	266.47 5
Union Square Partnership JV of Young & de la Sota, Mock Wallace, Phillips/Fotheringham	WBE/ LBE					285.5	314.05	285.5	314.05
Union Square Collaborative J.V. of Royston Alley Abey & Merrill Befu	MBE/ LBE					269.25	296.17 5	269.2 5	296.17 5
Roma Design Group						247	247	247	247
Cervantes Design- Delcampo Maru	WBE/ LBE					210.5	210.5	210.5	210.5
Kwan Herumi + Merrill + Befu Assoc.	LBE					259	271.95	259	271.95
Romo Group	Non- Respo nsive								

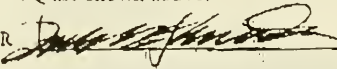
* MBE/WBE/LBE Codes: A-Asian B-Black L-Latino W-Woman

CONSULTANT SELECTED: Union Square Partnership JV of Young & de la Sota, Mock Wallace, Phillips/Fotheringham

Reason (s) for selection: Highest scoring team, best demonstrated Project Program, Budget and Schedule.

Panel Members	Affiliation	Minority or Woman
Jim Chappell	SPUR Executive Director	
Russ Keil	Uptown Parking Corporation	
Linda Mjellum	Union Square Association - Executive Director	Women
David Alaumbaugh	CCSF Planning Department	
John Barber	CCSF Parking Authority Director	Latino

All firms submitting RFQ are shown above.

CONTRACT MANAGER  DATE 7.1.98

Department of Public Works
Bureau of Architecture
Preliminary Budget for Feasibility Study and Design Development
7/6/98

Feasibility Study and Design Development	Hours		Rate	Amount
<i>Project Management</i>	100	\$	100	\$ 10,000
<i>Architectural Services</i>				
Principle	500	\$	120	\$ 60,000
Architect	800	\$	90	\$ 72,000
Architectural Associate	800	\$	75	\$ 60,000
CAD Operator	800	\$	55	\$ 44,000
Specification Writer	200	\$	90	\$ 18,000
Administrative Support	800	\$	51	\$ 40,800
<i>Subtotal</i>				<u>\$ 294,800</u>
<i>Geotechnical</i>				
Senior Engineer	60	\$	94	\$ 5,640
Engineer	110	\$	80	\$ 8,800
Engineering Associate	90	\$	70	\$ 6,300
Engineering Assistant	90	\$	60	\$ 5,400
<i>Subtotal</i>				<u>\$ 26,140</u>
<i>Site Survey</i>				
Senior Engineer	40	\$	94	\$ 3,760
Engineer	95	\$	80	\$ 7,600
Engineering Associate	90	\$	70	\$ 6,300
Engineering Assistant	85	\$	60	\$ 5,100
<i>Subtotal</i>				<u>\$ 22,760</u>
<i>Planning Dept.-Environmental Review</i>				\$ 25,000
<i>Cost Estimation</i>				
Senior Engineer	80	\$	94	\$ 7,520
Engineer	200	\$	80	\$ 16,000
Engineering Associate	120	\$	70	\$ 8,400
Engineering Assistant	100	\$	60	\$ 6,000
<i>Subtotal</i>				<u>\$ 37,920</u>
<i>Construction Scheduler</i>				
Senior Engineer	40	\$	94	\$ 3,760
Engineer	115	\$	80	\$ 9,200
Engineering Associate	80	\$	70	\$ 5,600
Engineering Assistant	80	\$	60	\$ 4,800
<i>Subtotal</i>				<u>\$ 23,360</u>
<i>Material Testing</i>				
Senior Engineer	70	\$	94	\$ 6,580
Engineer	100	\$	80	\$ 8,000
Engineering Associate	70	\$	70	\$ 4,900

Department of Public Works
Bureau of Architecture
Preliminary Budget for Feasibility Study and Design Development
7/8/98

Engineering Assistant	80	\$	60	\$	4,800
<i>Subtotal</i>				\$	<u>24,280</u>

Parking Studies

Senior Engineer	80	\$	180	\$	14,400
Engineer	90	\$	120	\$	10,800
Engineering Associate	70	\$	90	\$	6,300
Engineering Assistant	70	\$	60	\$	4,200
<i>Subtotal</i>				\$	<u>35,700</u>

TOTAL				\$	489,960
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The Parking Authority and the Department of Public Works is unable to provide a preliminary budget for the entire project without the completion of the feasibility study and design development. In our initial presentation to the Mayor's Office, we estimated that the garage improvements would cost approximately \$6.5 million and the park improvements would cost approximately \$8.5 million.

**Parking Authority and Department of Public Works
Union Square Redesign Project**
Proposed Timeline
7/6/98

Task	Timeline
Preliminary Studies for Redesign of Park and Garage	May 1998 - July 1998
Design Development	July 1998 - September 1998
Receive negative declaration from Planning Department	August-98
Commission Approvals (DPT, Rec and Park, Art, Planning)	August-98
Present Plan to Board of Supervisors	October-98
Complete Construction Drawings	October 1998-December 1998
Bond Financing Plan by Uptown Parking Corporation	November 1998-December 1998
Begin Construction	Feb-99



Item 12 - File 98-990

Department: Department of Human Resources (DHR)
Mayor's Office of Community Development (MOCD)

Item: Ordinance authorizing settlement of the claim for wages of Ms. Lynne Beeson in the amount of \$30,353.30.

Description: The proposed ordinance would approve a settlement against the City in the amount of \$30,353.30 for a claim filed by Ms. Lynne Beeson.

According to Ms. Dorothy Yee of the Equal Employment Opportunity (EEO) Division of the Department of Human Resources (DHR), Ms. Beeson, who was appointed as a 1373 Special Assistant XIV in the Mayor's Office of Community Development (MOCD), asserted that she had been performing the duties of a 9776 Supervising Community Development Specialist for the period January 1, 1994 through June 30, 1997. Ms. Beeson filed a gender discrimination claim against the City on March 10, 1997, alleging that she had been assigned to perform the same duties as were being performed by three other male employees in the higher paid 9776 Supervising Community Development Specialist classification.

Through negotiations between the EEO Division and Ms. Beeson's attorney, a settlement in the amount of \$30,353.30 was reached, representing the difference in pay between the higher paid 9776 Supervising Community Development Specialist classification and the 1373 Special Assistant XIV classification, for the period from January 1, 1994 through June 30, 1997. The proposed settlement agreement also releases the City from all present and future claims regarding this matter without further administrative or legal proceedings.

Comments:

1. Ms. Yee advises that, as of July 1, 1997, Ms. Beeson is now fulfilling the responsibilities of her appointed position of 1373 Special Assistant XIV and is no longer performing the duties of the higher paid 9776 Supervising Community Development Specialist classification.

BOARD OF SUPERVISORS
BUDGET ANALYST

2. The source of funds for the proposed settlement in the amount of \$30,353.30 is MOCD's FY 1998-99 budget.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 13 – File 98-1028

Department: Department of Public Health (DPH)

Item: Ordinance amending the Administrative Code by amending Section 16.6-10 thereof, adding certain organizations to the Membership List of the Department of Public Health.

Description: The proposed ordinance would amend the Administrative Code, Section 16.6-10, to authorize DPH's membership in the following 23 organizations:

<u>Organization</u>	<u>Annual Membership Fee</u>
American College of Mental Health Administration	\$250
American College of Physicians	300
American Conference of Governmental Industrial Hygienists (ACGIH)	87
American Health Lawyers Association	100*
American Industrial Hygiene Association, Northern California Section (AIHA)	40
American Public Health Association, Northern California Section (APHA)	50
American Society of Epidemiology	100
Breast Cancer Action	100
Breast Cancer Fund	100
California Association of Medical Staff Services (CAMSS)	35
California Breast Cancer Coalition	100
California Mental Health Directors	15,400
County Tobacco Control Coordinators	1,000
Gerontology Society of America	120
Industrial Claims Association (ICA)	300
Insyst Users Group	33,600
National Association of County Behavioral Health Directors	200
National Association of Emergency Medical Services Physicians (NAEMSP)	100
National Association of Medical Staff Services (NAMSS)	100
National Breast Cancer Coalition	100
National Coalition of STD Directors (NCSD)	1,500
National Hospice Foundation	\$800
UCSF Library	<u>90</u>
Total	\$54,572**

BOARD OF SUPERVISORS
BUDGET ANALYST

*Ms. Anne Okubo of the Department of Public Health advises that this organization is included in the proposed ordinance to reflect a name change of the organization which has occurred since the organization was initially added to the Administrative Code. The membership fee has decreased \$95, from \$195 to \$100.

**The total Annual Membership Fees of \$54,572 for the 23 organizations, include (a) \$54,472 for 22 new memberships, and (b) \$100 for one current membership that is included in the proposed ordinance to reflect the name change of the organization.

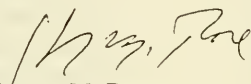
Comments:

1. The net increase in membership fees is \$54,377, which is equivalent to \$54,472 for the 22 new memberships less the \$95 decrease for the organization with the new name.

2. Ms. Anne Okubo advises that in FY 1997-98, the total budgeted cost for DPH's 72 memberships was \$210,528. Ms. Okubo advises that in FY 1998-99 the total budgeted cost for 94 memberships, including the new memberships listed above, is \$255,758, or an increase of \$45,230. Although the increase of \$45,230 in the budget is \$9,147 less than the net increase of \$54,377 noted above, according to Ms. Obuko, this extra \$9,147 will be absorbed within DPH's existing budget.

Recommendation:

Approve the proposed ordinance.


Harvey M. Rose

cc: Supervisor Ammiano	Supervisor Yaki
Supervisor Yee	Clerk of the Board
Supervisor Brown	Controller
President Kaufman	Gail Feldman
Supervisor Bierman	Matthew Hymel
Supervisor Katz	Stephen Kawa
Supervisor Leno	Ted Lakey
Supervisor Medina	
Supervisor Newsom	
Supervisor Teng	

BOARD OF SUPERVISORS
BUDGET ANALYST

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7/14/98

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JUL 23 1998

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REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, JULY 14, 1998 - 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE

ABSENT: SUPERVISOR AMOS BROWN

CLERK: MARY L. RED

APPOINTMENTS

1. File 92-97-50. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Frances Doherty (Seat 26703 - must be painting contractor); Carolyn Gold (Seat 26712 - must represent tenant organization); Jordan Rinker, M.D. (Seat 26717 - must be a physician); Richard McGuire (Seat 26721 - must represent S.F. Housing Authority [ex-officio member]); Angela Hodgson (Seat 26722 - must be a parent); and Thomas A. Lewis (Seat 26723 - must be a painting contractor), terms expired December 22, 1997, for new four-year terms ending December 22, 2001. (Clerk of the Board)

7 positions/3 applicants

Frances Doherty (Seat 26703)
Carolyn Gold (Seat 26712)
Richard McGuire (Seat 26721)

ACTION: Hearing held. Appointments of Frances Doherty, Carolyn Gold, and Richard McGuire, recommended. (See File 98-1184). Consideration of remaining appointments continued to call of the chair.

File 98-1184. Appointment of Frances Doherty, succeeding herself (Seat 26703/painting contractor); Carolyn Gold, succeeding herself (Seat 26712/tenant organization) and Richard McGuire, succeeding himself (Seat 26721/S.F. Housing Authority/ex-officio member), terms expired December 22, 1997, for new four-year terms ending December 22, 2001, recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Lead Hazard Reduction Citizens Advisory Committee." RECOMMENDED. (See File 92-97-50 for remaining appointments)

2. File 92-97-50.3. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Donald H. Lanier (Seat 26719 – must represent U.S. Environmental Protection Agency [Ex-officio member]); and succeeding Robert Y. Nakamura (Seat 26720 – must represent CAL/OSHA [Ex-officio member]), terms expired December 22, 1995, for new four-year terms ending December 22, 1999. (Clerk of the Board)

2 positions/1 applicant

Donald Lanier (Seat 26719/Ex-Officio)

ACTION: Hearing held. Appointment of Donald Lanier recommended. (See File 98-1180). Remaining appointment continued to call of the chair.

File 98-1180. Appointment of Donald Lanier, succeeding himself (Seat 26719/must represent U.S. Environmental Protection Agency/ex-officio member), term expired December 22, 1995, for new four-year term ending December 22, 1999, recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Lead Hazard Reduction Citizens Advisory Committee." RECOMMENDED. (See File 92-97-50.3 for remaining appointment).

3. File 98-0499. [Appointment, Sunshine Ordinance Task Force] Hearing to consider appointing members to the Sunshine Ordinance Task Force succeeding Charlotte Berk (Seat 27104–must be nominee of League of Women Voters), terms expiring April 27, 1998, for new two year terms ending April 27, 2000. (Clerk of the Board)

1 position/1 applicant

Tuesday Ray (Seat 27104/League of Women Voters)

ACTION: Hearing held. Appointment of Tuesday Ray, recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Sunshine Ordinance Task Force." RECOMMENDED.

4. File 98-0919. [Appointments, Advisory Dogs Off-Leash Task Force] Hearing to consider appointing members to the Advisory Dogs Off-Leash Task Force (Seat 1 must be nominee of Coleman Advocates), (Seat 2, must be nominee of Noe Courts Coalition), (Seat 4 must be nominee of Fund for Animals); terms to expire on October 28, 1998. (Clerk of the Board)

3 positions/3 applicants

Marybeth Wallace (Coleman Advocates)
Thomas Mills, M.D. (Noe Courts Coalition)
Virginia Handley (The Fund For Animals)*

ACTION: Hearing held. Appointments of Marybeth Wallace, Thomas Mills, M.D. and Virginia Handley recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Advisory Dogs Off-Leash Task Force; and making findings waiving residency requirement." RECOMMENDED.

5. File 98-0984. [Appointments, Park and Open Space Advisory Committee] Hearing to consider appointing members to the Park and Open Space Advisory Committee, succeeding Julia Viera (Seat 23305 - must be nominee of Supervisor Yee from organization list); succeeding Ron Miguel (Seat 23303 - must be nominee of Supervisor Medina); succeeding Ailene Herold-Coffino (seat 23311 - must be nominee of Supervisor Medina from organization list); succeeding Nan McGuire (Seat 23312 - must be nominee of Supervisor Yaki); succeeding Harold E. Supriano (Seat 23304 - must be nominee of Supervisor Brown); succeeding Gaeta Bell (Seat 23309 - must be nominee of Supervisor Leno); succeeding Fannie C. She (Seat 23306 - must be nominee of Supervisor Teng); succeeding Alan Weaver (Seat 23302 - must be nominee of Supervisor Newsom from list of organizations); succeeding Ina Dearman (Seat 23310 - must be nominee of Supervisor Ammiano from organization list); succeeding Lonnie Lawson (Seat 23307 - must be nominee of Supervisor Katz); succeeding Kevin Fox (Seat 23308 - must be nominee of Supervisor Ammiano); for terms expiring July 15, 1998, for new two year terms ending July 15, 2000. (Clerk of the Board)

11 positions/4 applicants

Gaeta Bell (Seat 23307/Supv. Katz/at large)
Kevin Fox (Seat 23308/Supv. Ammiano/at large)
Ina Dearman (Seat 23310/Supv. Ammiano/organization list)
Julia Viera (Seat 23305/Supv. Yee/organization list)

ACTION: Hearing held. Appointments of Gaeta Bell, Kevin Fox, Ina Dearman recommended. (See File 98-1181). Remaining appointment continued to July 28.

File 98-1181. Appointments of Gaeta Bell succeeding herself, (Seat 23307-Supervisor Katz/at large); Kevin Fox succeeding himself, (Seat 23308-Supervisor Ammiano/at large); and Ina Dearman succeeding herself, (Seat 23310-Supervisor Ammiano from organization list), terms expiring July 15, 1998, for new two year terms ending July 15, 2000. Recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Park and Open Space Advisory Committee." RECOMMENDED.

6. File 98-0985. [Appointments, Hazardous Materials Advisory Committee] Hearing to consider appointing members to the Hazardous Materials Advisory Committee succeeding Aurea Luis-Carnes (Seat 22602 - must represent environmental industry); succeeding Mark Galbo (Seat 22604 - must be toxicologist); terms expiring July 1, 1998, for new four year terms ending July 1, 2002. (Clerk of the Board)

2 positions/1 applicant

Mark Galbo (Seat 22604/must be toxicologist)*

ACTION: Hearing held. Appointment of Mark Gaibo recommended. (See File 98-1182). Remaining appointment continued to call of the chair.

File 98-1182. Appointment of Mark Galbo succeeding himself, (Seat 22604-must be toxicologist), term expired July 1, 1998, for new four year term ending July 1, 2002. Resolution prepared in and reported out of committee entitled, "Appointing member to the Hazardous Materials Advisory Committee; and making findings waiving residency requirement." RECOMMENDED.

7. File 98-1075. [Appointment, ABAG Executive Board] Hearing to consider appointing member to the Association of Bay Area Governments Executive Board succeeding Leslie Katz (Seat 10303, alternate position), resigned, for unexpired portion of a two year term ending June, 30, 1999. (Clerk of the Board)

1 position/1 applicant

Supervisor Medina

ACTION: Hearing held. Appointment of Supervisor Medina recommended. Resolution prepared in and reported out of committee entitled, "Appointing Supervisor Jose Medina as a member of the Association of Bay Area Governments, Executive Board." RECOMMENDED.

8. File 98-1101. [Appointment, ABAG Executive Board] Hearing to consider appointing member to the Association of Bay Area Governments Executive Board (Seat 10306-alternate position), for a two-year term ending June 30, 2000. (Clerk of the Board)

1 position/1 applicant

Supervisor Newsom

ACTION: Hearing held. Appointment of Supervisor Newsom recommended. Resolution prepared in and reported out of committee entitled, "Appointing Supervisor Gavin Newsom as a member of the Association of Bay Area Governments, Executive Board." RECOMMENDED.

9. File 98-1008. [Appointment, Ethics Commission] Resolution appointing Isabella Horton Grant to the Ethics Commission, (Seat 27701-must be general public), term expired June 8, 1998, for new four-year term ending June 8, 2002) (Supervisor Kaufman)

ACTION: Hearing held. RECOMMENDED.

10. File 98-1023. [Appointments, Shopping Cart Task Force] Hearing to consider appointing members to the Shopping Cart Task Force, seven members (representing Northern California Grocers Association; Lucky Stores, Inc.; Safeway Stores, Inc.; Lakeshore Homeowners Association; Senior Disabled Community and the Coalition of Homelessness- 2 slots), terms to expire October 28, 1998. (Clerk of the Board)

7 positions/2 applicants

John Handley (Northern CA. Grocers Assoc.)*
Barbara Chionsini (Lakeshore Homeowners Assoc.)

ACTION: Hearing held. Appointment of John Handley and Barbara Chionsini recommended (See File 98-1183). Consideration of remaining appointments continued to call of the chair.

File 98-1183. Appointment of John Handley (Seat 1-Northern CA Grocers Assoc.), and Barbara Chionsini (Seat 4-Lakeshore Homeowners Assoc.), terms expiring October 28, 1998, recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Shopping Cart Task Force; and making findings waiving residency requirement." RECOMMENDED.

REGULAR CALENDAR

11. File 98-0977. [Gift Acceptance – Union Square Renovation, DPW] Resolution authorizing the acceptance of a gift of \$500,000 from the Uptown Parking Corporation to be used to explore the feasibility of renovating Union Square Garage and Plaza. (Department of Parking and Traffic)

ACTION: Hearing held. RECOMMENDED.

12. File 98-0990. [Settlement Agreement, Lynne Beeson] Ordinance authorizing settlement of the claim for wages of Lynne Beeson in the amount of Thirty Thousand Three Hundred Fifty-Three Dollars and Thirty Cents (\$30,353.30). (Department of Human Resources)

ACTION: Hearing held. RECOMMENDED.

13. File 98-1028. [Department of Public Health Membership] Ordinance amending Administrative Code by amending Section 16.6-10, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

ACTION: RECOMMENDED.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

14. File 98-1027. [Statute of Limitations] Resolution approving the waiver of the applicable statute of limitations in Penske Truck Leasing Co., Inc. v. City and County of San Francisco. (San Francisco Municipal Court No. 146-915). (City Attorney)

ACTION: RECOMMENDED.

15. File 98-1077. [CCSF, v. Pacific Bell, et al.] Ordinance authorizing settlement of litigation of the City and County of San Francisco v. Pacific Bell, et. al, for the receipt of \$75,000. (City Attorney)

ACTION: RECOMMENDED.

16. File 98-1103. [Commercial & Interiors Construction v. CCSF] Ordinance authorizing settlement of litigation of Commercial and Interiors Construction, Inc., et al. against the City and County of San Francisco by payment of \$285,016.13. (Superior Court No. 990-209). (City Attorney)

ACTION: RECOMMENDED.

17. File 98-1104. [Marlene Joss-Zee and H. Scott Zee v. CCSF] Ordinance authorizing settlement of litigation of Marlene Joss-Zee and H. Scott Zee against the City and County of San Francisco by payment of \$95,000. (Superior Court No. 976-774). (City Attorney)

ACTION: RECOMMENDED.

18. File 98-1105. [Brenna Bavis v. CCSF, et al.] Ordinance authorizing settlement of litigation of Brenna Bavis against the City and County of San Francisco by payment of \$32,199. (U.S. District Court, N. D. Cal. No. C95-3969 CRB). (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

File 98-1017, Ballot Measure, Hotel Tax Surcharge, (Supervisors Kaufman, Ammiano), 30 day Rule expires 7/15/98.

File 98-1018, Ballot Measure, Stadium Operator Tax, (Supervisor Leno), 30 day Rule expires 7/15/98.

Watch future calendars for scheduling of this matter.

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CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

July 24, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of*

SUBJECT: July 28, 1998 Rules Committee Meeting

Item 7 - File 98-1152

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Department: Department of Public Works (DPW)

Item: Ordinance amending Section 16.6-9 of the Administrative Code, adding one organization and deleting two organizations from the membership list of the Department of Public Works.

Description: The proposed ordinance would amend the Administrative Code, Section 16.6-9, by adding one new organization and deleting two existing organizations from the membership list of the DPW.

<u>New Organization Added</u>	<u>Annual Membership Fee</u>
National Society of Black Engineers	\$100
<u>Existing Organization Deleted</u>	
National Association of Telecommunications Officers and Advisors	\$525
Society of Public Health Educators	<u>\$95</u>
Total deletions	\$620

Comments:

1. DPW requests that the Administrative Code be amended to include membership in the National Society of Black Engineers (NSBE). According to Mr. Mauricio Trigueros of the DPW, NBSE is a student-managed organization which seeks to increase the number of African American engineers in the technical professional workforce. Mr. Trigueros states that representation in NSBE would provide the DPW with the opportunity to recruit from over 4,000 potential candidates to meet DPW's goal of maintaining a diverse workforce.

2. DPW also requests that the Administrative Code be amended to delete its membership in the National Association of Telecommunications Officers and Advisors since the purpose of this organization now relates to the Department of Telecommunications and Information Services and not DPW.

3. The DPW further requests that the Administrative Code be amended to delete membership in the Society of Public Health Educators (SPHE). Mr. Trigueros states that the DPW no longer has Public Health Educators on its staff and DPW has therefore decided not to renew membership in the SPHE.

4. Mr. Trigueros advises that funding for the new membership of \$100 is included in the Department's FY 1998-99 Budget.

Recommendation: Approve the proposed ordinance.

Item 8 – File 98-1063

Department: Public Administrator/Public Guardian/County Veterans Service Office (PA/PG/CVSO)

Item: Ordinance amending Article I, Chapter XVI, Part I of the Administrative Code by adding Section 16.6-62 thereof, adding certain organizations to the membership list of the Office of the Public Administrator/Public Guardian/County Veterans Service Officer.

Description: The proposed ordinance would amend the Administrative Code by adding the following five organizations to the Membership List of Public Administrator/Public Guardian/County Veterans Service Office:

<u>Name of Organization</u>	<u>Annual Fee</u>
Coalition of Agencies Serving the Elderly	\$40
National Guardianship Association	125
State Association of Public Administrators, Public Guardians and Public Conservators	240*
California Association of County Veterans Service Officers	350
National Association of County Veterans Service Officers	<u>100</u>
Total Cost	\$855

*According to Mr. Ricardo Hernandez, Public Administrator/Public Guardian/County Veterans Service Officer, 16 individual memberships (\$15/membership) are required because 16 PA/PG/CVSO employees require the job specific training offered by this organization.

Comments: 1. In FY 1997-98, PA/PG/CVSO was a member of the following three organizations: 1) the State Association of Public Administrators, Public Guardians and Public Conservators, 2) the California Association of County Veterans Service Officers, and 3) the National Association of County Veterans Service Officers. Although funds were budgeted for these memberships in FY 1997-98, the Administrative Code was never amended to include the memberships. Ms. Michelle McCabe, Assistant Public

Administrator-Guardian, states that the proposed ordinance would formally authorize PA/PG/CVSO membership in the organizations for FY 1998-99 by amending the Administrative Code to include these membership. The total cost for the memberships is \$690.

2. In addition to the foregoing three memberships, PA/PG/CVSO requests that the Administrative Code be amended to include memberships in the Coalition of Agencies Serving the Elderly (CASE) and the National Guardianship Association (NGA). According to Ms. McCabe, representation in CASE would allow PA/PG/CVSO staff persons to increase their knowledge on issues concerning the elderly and to network with community-based organizations serving the elderly. Representation in NGA is requested in order for PA/PG/CVSO staff persons to participate in a variety of skills training programs offered by these organizations. The total cost for these two memberships is \$165.

3. Ms. McCabe advises that funding for all of the five membership fees are included in the PA/PG/CVSO's FY 1998-99 budget.

Recommendation: Approve the proposed ordinance.

Item 9 - File 98-988

Department: Airport

Item: Resolution accepting a gift from Fong and Chan architects for architectural services for the design of the aviation library, archive, and museum at the airport.

Value of the gift: \$260,000

Description: In October, 1991 the Airport Commission authorized the establishment of an Aviation Library, Archive and Museum in the new International Terminal at the San Francisco International Airport.

Fong and Chan Architects has offered to provide pro bono architectural services valued at \$260,000 for design work on the Aviation Library, Archive and Museum in the new International Terminal at the San Francisco International Airport. The value of \$260,000 is equivalent to \$385,000, or 11 percent of estimated construction costs of \$3.5 million, less consultant fees of \$125,000 for other outside consultants (e.g. mechanical, electrical, civil engineering). (See attachment provided by the Airport Commission.)

Section 10.116 of the City's Administrative Code requires the approval of the Board of Supervisors for the acceptance of all gifts to the City and County with a value greater than \$5,000.

Comment: According to Mr. Kevin Kone of the Airport, the industry standard for architectural fees ranges from 11 percent to 16 percent of construction costs.

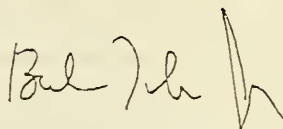
Recommendation: Approve the proposed resolution.

San Francisco International Airport

Calculation of Fong and Chan Gift Fees

June 24, 1998

Construction Cost Estimate for Aviation Archives Museum	\$3,500,000 (A)
Architectural Fees estimated at 11% of construction costs ($A * 11\%$)	\$385,000 (B)
Less Outside Consultant Fees (Mech, Electrical, Civil Engineering)	(\$125,000) (C)
Total Estimated Gift (B-C)	<u>\$260,000</u>



APPROVED

Item 10 - File 98-1017

Item: Motion ordering submission to the voters of an ordinance approving the continued imposition of a two percent Hotel Tax surcharge on the rent for occupancy of guest rooms in certain hotels for General Fund purposes by amending Part III, Article 7 (Tax on Transient Occupancy of Hotel Rooms) of the San Francisco Municipal Code by adding Section 502.6-2.

Description: In November, 1996, California voters approved Proposition 218 (Article XIII C of the California Constitution), which requires that local governments obtain approval from a majority of the voters for any increase in general taxes. In addition, Proposition 218 requires local electorates to confirm, retroactively, any tax increases approved by local governments, without voter approval, between January 1, 1995 and the passage of Proposition 218 in November, 1996, within two years of the passage of Proposition 218, or by November 6, 1998.

Article 7, Section 502 of Part III of the San Francisco Municipal Code (Revenue and Taxation Code) imposes a Hotel Tax of eight percent on the rent for every occupancy of a guest room in a hotel in the City and County. Sections 502.5 and 502.6, which were added by ordinance prior to January 1, 1995, imposed surcharges of 2.75 percent and 1.25 percent, respectively, resulting in total surcharges of 4.0 percent and a total Hotel Tax rate of 12 percent. Section 502.6-1, which was added by ordinance in July of 1996, imposed an additional two percent Hotel Tax surcharge, resulting in total surcharges of six percent and a total Hotel Tax rate of 14 percent. All Hotel Tax proceeds are deposited in the General Fund, are subject to appropriation approval pursuant to the budget and fiscal provisions of the Charter, and may be expended for any lawful City purpose.

Because the most recent ordinance, which imposed an additional Hotel Tax surcharge of two percent, was approved after January 1, 1995 and before November 6, 1996 (when Proposition 218 was approved), Proposition 218 requires voter approval by November 6, 1998 in order

to confirm, retroactively, the imposition of the two percent Hotel Tax surcharge.

The proposed motion would order submission of an ordinance to the voters. If approved by the voters, the ordinance would amend Article 7 of the Revenue and Taxation Code by adding Section 502.6-2, which would authorize the City and County to continue to levy the two percent Hotel Tax surcharge under the conditions set forth in Section 502.6-1 of the Revenue and Taxation Code. The proposed motion would submit the proposed ordinance to the voters for approval for the November 3, 1998 election.

Comment: The FY 1998-99 budget includes \$163,580,035 in Hotel Tax revenues resulting from the total 14 percent Hotel Tax rate, of which \$23,368,576 represents revenues from the subject two percent Hotel Tax surcharge.

Recommendation: Approve the proposed motion.

Item 11 - File 98-1018

Item: Motion ordering submission to the voters of an ordinance approving the continued imposition of the Stadium Operator Admission Tax and the Temporary Admission Tax on Stadium Admissions; authorizing the establishment of a permanent Supplemental Stadium Admission Tax upon expiration of the Temporary Admission Tax; and making miscellaneous technical corrections to Article 11 of Part III of the San Francisco Municipal Code governing Stadium Admission Taxes.

Description: In November, 1996, California voters approved Proposition 218 (Article XIII C of the California Constitution), which requires that local governments obtain approval from a majority of the voters for any increase in general taxes. In addition, Proposition 218 requires local electorates to confirm, retroactively, any new taxes imposed or increased by local governments, without voter approval, between January 1, 1995 and the passage of Proposition 218 in November, 1996. Taxes subject to this requirement must be submitted to the voters within two years of the passage of Proposition 218, or by November 6, 1998.

Stadium Operator Admission Tax

Article 11, Section 802 of Part III of the San Francisco Municipal Code (Revenue and Taxation Code), which was added by ordinance prior to January 1, 1995, imposes a Stadium Operator Admission Tax on operators of athletic contests and other special events that take place in any stadium with more than 5,000 seats and located in the City and County of San Francisco.¹ The amount of the Stadium Operator Admission Tax is \$0.50 on each admission ticket with a value of \$25.01 or less and \$1.50 on each admission ticket with a value of \$25.02 or more. The proceeds from this tax may be used to fund (a) administrative costs related to Article 11 of the Revenue and Taxation Code; (b) refunds of any overpayments of the Stadium Operator Admission Tax; or (c) base rental

¹ The Stadium Operator Admission Tax currently applies only to 3Com Park at Candlestick Point. Although Kezar Stadium has 9,700 seats, the Recreation and Park Department (RPD) limits ticket sales to a maximum of 5,000 because insufficient parking is available.

and additional base rental costs pursuant to a lease and supplemental amended lease between the City and San Francisco Stadium, Inc. for improvements and expansion at 3Com Park. San Francisco Stadium, Inc. is a non-profit entity established by the City for the purpose of financing the improvement and expansion of 3-Com Park in the 1970s.

According to Mr. David Greenburg of the City Attorney's Office, the City's authority to impose the Stadium Operator Admission Tax will expire on approximately March 1, 2000, when the lease between the City and San Francisco Stadium, Inc. expires. Mr. Greenburg further advises that because of the passage of Proposition 218, which requires voter approval for any increase in general taxes, voter approval is required in order for the City to continue collecting the Stadium Operator Admission Tax beyond its current expiration date of approximately March 1, 2000.

The proposed ordinance would authorize the City to continue collecting the Stadium Operator Admission Tax on a permanent basis, beyond the above-noted expiration date of approximately March 1, 2000. Specifically, the proposed ordinance states that, once all monies due in accordance with the leases between the City and San Francisco Stadium, Inc. have been paid, revenues from the Stadium Operator Admission Tax shall be deposited into the General Fund, subject to appropriation approval pursuant to the budgetary and fiscal provisions of the Charter, and may be expended for any lawful City purpose.

In addition, the proposed ordinance would amend Section 807 of Article 11 of the Revenue and Taxation Code to comply with the terms of a ground lease entered into by the City and the San Francisco Giants for the Pacific Bell Park, presently under construction, to be located at China Basin. Under the subject ordinance to be submitted to the voters, the amount of the Stadium Operator Admission Tax to be charged at Pacific Bell Park for Giants games shall be limited to \$0.25 per ticket. The Stadium Operator Admission Tax charged at 3Com Park for 49ers games would remain unchanged at \$0.50 for

BOARD OF SUPERVISORS
BUDGET ANALYST

each admission ticket with a value of \$25.01 or less and \$1.50 for each admission ticket with a value of \$25.02 or more.

Temporary Admission Tax

Article 11, Section 802A of the Revenue and Taxation Code imposes an additional Temporary Admission Tax on operators of athletic contests and other special events that take place in stadiums with more than 5,000 seats and located within the City and County. The amount of the Temporary Admission Tax is \$0.25 on each admission ticket with a value of less than \$27.00 (including the Stadium Operator Admission Tax under Section 802), applicable to Giants tickets, and \$0.75 on each admission ticket with a value of \$27.00 or more (including the Stadium Operator Admission Tax under Section 802), applicable primarily to 49ers tickets. The Temporary Admission Tax is in addition to the Stadium Operator Admission Tax under Section 802. The proceeds from this tax must be deposited in the General Fund and are subject to appropriation approval pursuant to the budget and fiscal provisions of the Charter.

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In October of 1995, the Board of Supervisors approved an ordinance amending Section 802A in order to change the expiration of the Temporary Admission Tax for professional baseball and football tickets from the end of the 1995 season until the end of the 2000 season (approximately December, 2000), and for tickets for exhibitions and other special events held at 3Com Park, from June 30, 1995 until June 30, 2000. However, according to Mr. Greenburg, because that ordinance was passed without voter approval after January 1, 1995 and prior to passage of Proposition 218, voter approval is required by November 6, 1998 in order to extend the Temporary Admission Tax as provided for in the above ordinance.

The proposed ordinance to be submitted to the voters would confirm the City's authority to collect the Temporary Admission Tax until the end of the 2000 season (for football and baseball tickets) or until June 30, 2000 (for tickets for exhibitions and all other special

events), as required by Proposition 218. In addition, the proposed ordinance to be submitted to the voters would impose a permanent "Supplemental Admission Tax" upon the expiration of the Temporary Admission Tax in the year 2000. The Supplemental Admission Tax would be imposed in accordance with the same rates and procedures set forth for the Temporary Admission Tax, such as: (a) the amount of the Supplemental Admission Tax would also be \$0.25 on each admission ticket with a value of less than \$27.00 (including the Stadium Operator Admission Tax), and \$0.75 on each admission ticket with a value of \$27.00 or more (including the Stadium Operator Admission Tax); (b) the Supplemental Tax would be in addition to the Stadium Operator Admission Tax; and (c) the proceeds from the Supplemental Admission Tax would be deposited in the General Fund and would be subject to appropriation approval pursuant to the budget and fiscal provisions of the Charter. Because Proposition 218 requires voter approval for any increase in general taxes, the proposed ordinance to impose a Supplemental Admission Tax must be submitted to the voters for approval.

The proposed motion would submit an ordinance to the voters for the November 3, 1998 election in order to obtain voter approval to (a) continue imposing the Stadium Operator Admission Tax of between \$0.50 and \$1.50 per ticket beyond March 1, 2000; (b) continue imposing the Temporary Admission Tax of between \$0.25 and \$0.75 per ticket between November 6, 1998 and December, 2000; and (c) authorize the establishment of a permanent Supplemental Admission Tax upon the expiration of the Temporary Admission Tax in December, 2000.

Comments:

1. The Recreation and Park Department's (RPD) FY 1998-99 budget, as approved by the Board of Supervisors, includes \$2,199,000 in Stadium Operator Admission Tax revenues. In addition, the County Education Office's FY 1998-99 budget includes \$1,056,000 in revenues appropriated by the Board of Supervisors from the Temporary Admission Tax for sports programs at the San Francisco Unified School District (SFUSD), for a total of \$3,255,000 in Admission Tax revenues included in the City's FY 1998-99 budget.

BOARD OF SUPERVISORS
BUDGET ANALYST

each admission ticket with a value of \$25.01 or less and \$1.50 for each admission ticket with a value of \$25.02 or more.

Temporary Admission Tax

Article 11, Section 802A of the Revenue and Taxation Code imposes an additional Temporary Admission Tax on operators of athletic contests and other special events that take place in stadiums with more than 5,000 seats and located within the City and County. The amount of the Temporary Admission Tax is \$0.25 on each admission ticket with a value of less than \$27.00 (including the Stadium Operator Admission Tax under Section 802), applicable to Giants tickets, and \$0.75 on each admission ticket with a value of \$27.00 or more (including the Stadium Operator Admission Tax under Section 802), applicable primarily to 49ers tickets. The Temporary Admission Tax is in addition to the Stadium Operator Admission Tax under Section 802. The proceeds from this tax must be deposited in the General Fund and are subject to appropriation approval pursuant to the budget and fiscal provisions of the Charter.

In October of 1995, the Board of Supervisors approved an ordinance amending Section 802A in order to change the expiration of the Temporary Admission Tax for professional baseball and football tickets from the end of the 1995 season until the end of the 2000 season (approximately December, 2000), and for tickets for exhibitions and other special events held at 3Com Park, from June 30, 1995 until June 30, 2000. However, according to Mr. Greenburg, because that ordinance was passed without voter approval after January 1, 1995 and prior to passage of Proposition 218, voter approval is required by November 6, 1998 in order to extend the Temporary Admission Tax as provided for in the above ordinance.

The proposed ordinance to be submitted to the voters would confirm the City's authority to collect the Temporary Admission Tax until the end of the 2000 season (for football and baseball tickets) or until June 30, 2000 (for tickets for exhibitions and all other special

events), as required by Proposition 218. In addition, the proposed ordinance to be submitted to the voters would impose a permanent "Supplemental Admission Tax" upon the expiration of the Temporary Admission Tax in the year 2000. The Supplemental Admission Tax would be imposed in accordance with the same rates and procedures set forth for the Temporary Admission Tax, such as: (a) the amount of the Supplemental Admission Tax would also be \$0.25 on each admission ticket with a value of less than \$27.00 (including the Stadium Operator Admission Tax), and \$0.75 on each admission ticket with a value of \$27.00 or more (including the Stadium Operator Admission Tax); (b) the Supplemental Tax would be in addition to the Stadium Operator Admission Tax; and (c) the proceeds from the Supplemental Admission Tax would be deposited in the General Fund and would be subject to appropriation approval pursuant to the budget and fiscal provisions of the Charter. Because Proposition 218 requires voter approval for any increase in general taxes, the proposed ordinance to impose a Supplemental Admission Tax must be submitted to the voters for approval.

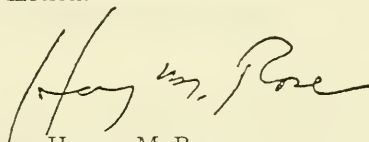
The proposed motion would submit an ordinance to the voters for the November 3, 1998 election in order to obtain voter approval to (a) continue imposing the Stadium Operator Admission Tax of between \$0.50 and \$1.50 per ticket beyond March 1, 2000; (b) continue imposing the Temporary Admission Tax of between \$0.25 and \$0.75 per ticket between November 6, 1998 and December, 2000; and (c) authorize the establishment of a permanent Supplemental Admission Tax upon the expiration of the Temporary Admission Tax in December, 2000.

Comments:

1. The Recreation and Park Department's (RPD) FY 1998-99 budget, as approved by the Board of Supervisors, includes \$2,199,000 in Stadium Operator Admission Tax revenues. In addition, the County Education Office's FY 1998-99 budget includes \$1,656,000 in revenues appropriated by the Board of Supervisors from the Temporary Admission Tax for sports and music programs at the San Francisco Unified School District (SFUSD), for a total of \$3,855,000 in Admission Tax revenues included in the City's FY 1998-99 budget.

2. The proposed ordinance to be submitted to the voters would also make various technical corrections to Sections 801, 802A, 805, 807 and 841 of Article 11 of the Revenue and Taxation Code.

Recommendation: Approve the proposed motion.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Leno
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey



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CALENDAR ... Act on Tukes
REGULAR MEETING
RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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JUL 30 1998

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TUESDAY, JULY 28, 1998 - 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

ABSENT: SUPERVISOR YEE FOR ITEMS 1-3

CLERK: MARY L. RED

APPOINTMENTS

1. File 98-0984. [Appointments, Park and Open Space Advisory Committee] Hearing to consider appointing members to the Park and Open Space Advisory Committee, succeeding Julia Viera (Seat 23305 - must be nominee of Supervisor Yee from organization list); succeeding Ron Miguel (Seat 23303 - must be nominee of Supervisor Medina); succeeding Ailene Herold-Coffino (seat 23311 - must be nominee of Supervisor Medina from organization list); succeeding Nan McGuire (Seat 23312 - must be nominee of Supervisor Yaki); succeeding Harold E. Supriano (Seat 23304 - must be nominee of Supervisor Brown); succeeding Gaeta Bell (Seat 23309 - must be nominee of Supervisor Leno); succeeding Fannie C. She (Seat 23306 - must be nominee of Supervisor Teng); succeeding Alan Weaver (Seat 23302 - must be nominee of Supervisor Newsom from list of organizations); for terms expiring July 15, 1998, for new two year terms ending July 15, 2000. (Clerk of the Board)
(Continued from 7/14)

8 positions/2 applicants

Julia Viera (Seat 23305/Supervisor Yee/organization list)
Harold E. Supriano (Seat 23304-Supervisor Brown)

ACTION: Hearing held. Appointment of Julia Viera and Harold Supriano recommended (See File 98-1270). Remaining appointments continued to call of the chair.

File 98-1270. Appointment of Julia Viera, succeeding herself (Seat 23305-must be nominee of Supervisor Yee from list of organizations); and Harold Supriano, succeeding himself (Seat 23304-must be nominee of Supervisor Brown), terms expired July 15, 1998, for new two year terms ending July 15, 2000; recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Park and Open Space Advisory Committee." RECOMMENDED.
(See File 98-0984 for remaining appointments)

2. File 92-97-50. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, Jordan Rinker, M.D. (Seat 26717 – must be a physician); Angela Hodgson (Seat 26722 – must be a parent); and Thomas A. Lewis (Seat 26723 – must be a painting contractor), terms expired December 22, 1997, for new four-year terms ending December 22, 2001. (Clerk of the Board)

3 positions/1 applicant

Thomas A. Lewis (Seat 26723–must be paint contractor)*

ACTION: Hearing held. Appointment of Thomas Lewis recommended, (See File 98-1271). Remaining appointments continued to call of the chair.

File 98-1271. Appointment of Thomas Lewis, succeeding himself (Seat 26723–must be paint contractor), recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Lead Hazard Reduction Citizens Advisory Committee, and making findings waiving residency requirement." RECOMMENDED. (See File 92-97-50 for remaining appointments)

3. File 98-1023. [Appointments, Shopping Cart Task Force] Hearing to consider appointing members to the Shopping Cart Task Force, seven members (representing Lucky Stores, Inc.; Safeway Stores, Inc.; Senior Disabled Community and the Coalition of Homelessness– 2 slots), terms to expire October 28, 1998. (Clerk of the Board)

5 positions/3 applicants

Mara Raider (Coalition on Homelessness)
Jerome Reid (Coalition on Homelessness)
Jerry Waller (Lucky Stores, Inc.)*

ACTION: Consideration continued to August 11, 1998.

4. File 98-1024. [Appointment] Hearing to consider appointing members to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force, five members, terms expiring June 30, 1999. (Clerk of the Board)

5 positions/3 applicants

Adrian Lamo
Michelle Tactay
Bryan Kutner

ACTION: Hearing held. Appointment of Adrian Lamo and Bryan Kutner, recommended (See File 98-1272). Remaining appointments continued to August 11, 1998.

File 98-1272. Appointment of Adrian Lamo (Seat 10); and Bryan Kutner (Seat 11), terms expiring June 30, 1999, recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force." RECOMMENDED. (See File 98-1024 for remaining appointments)

REGULAR CALENDAR

5. File 98-0806. [Sunshine Ordinance Task Force Membership] Ordinance amending Administrative Code Section 67.30 to delete the requirement for the selection of two members of the Sunshine Ordinance Task Force from names submitted by the local chapter of the Society of Professional Journalists. (Supervisor Brown)
(Continued from 6/23)

ACTION: Consideration continued to September 22, 1998.

6. File 98-1019. [Rules of Order] Motion amending the Rules of Order of the Board of Supervisors by adding Section 2.23(A) in order to create a Customer Service Award for employees of the City and County of San Francisco. (Supervisor Newsom)

ACTION: RECOMMENDED.

7. File 98-1152. [Membership List, Department of Public Works] Ordinance amending Administrative Code by amending Section 16.6-9, adding a certain organization to and deleting a certain organization from the membership list of the Department of Public Works. (Department of Public Works)

ACTION: Hearing held. Clerical correction to title only. New title: "Ordinance amending Administrative Code by amending Section 16.6-9, adding a certain organization to, and deleting two organizations, from the membership list of the Department of Public Works." RECOMMENDED
AS AMENDED.

8. File 98-1063. [Membership List] Ordinance amending Administrative Code by adding Section 16.6-62, adding certain organizations to the membership list of the Office of Public Administrator/Public Guardian/County Veterans Service Officer. (Public Administrator/Public Guardian/County Veterans Service Officer)

ACTION: RECOMMENDED.

9. File 98-0988. [Gift Acceptance, Airport] Resolution accepting a gift from Fong and Chan Architects for architectural services (valued at \$260,000) for the design of the Aviation Library, Archive, and Museum at the Airport. (Airport Commission)

ACTION: RECOMMENDED.

10. File 98-1017. [Ballot Measure, Hotel Tax Surcharge] Motion ordering submission to the voters of an ordinance approving the continued imposition of a two percent Hotel Tax Surcharge on the rent for occupancy of guest rooms in certain hotels for General Fund purposes by amending Municipal Code, Part III, by adding Section 502.6-2. (Supervisors Kaufman, Ammiano, Leno, Bierman, Yee, Brown, Teng, Newsom)
(30-day Rule, expires 7/15/98)

ACTION: Hearing held. RECOMMENDED.

11. File 98-1018. [Ballot Measure, Stadium Operator Tax] Motion ordering submission to the voters of an ordinance approving the continued imposition of the Stadium Operator Admission Tax and the Temporary Admission Tax on stadium admissions, authorizing the establishment of a supplemental stadium admission tax upon expiration of the temporary admission tax and making miscellaneous technical corrections to Municipal Code, Part III. Sections 801, 802A, 805, 807 and 841. (Supervisor Leno)
(30-day Rule, expires 7/15/98)

ACTION: Hearing held. RECOMMENDED.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

12. File 98-1144. [Settlement of Claim] Resolution approving the settlement of unlitigated claim by the City and County of San Francisco (against Volume Services, Inc.), for \$104,564.25. (City Attorney)

ACTION: RECOMMENDED.

13. File 98-1185. [Unlitigated Claim, Business Software Alliance] Resolution approving the settlement of unlitigated claim of Business Software Alliance by payment of \$25,632.65. (City Attorney)

ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

THERE ARE NONE AT THIS TIME.

A G E N D A

Rules Committee Board of Supervisors City and County of San Francisco

DOCUMENTS DEPT.

AUG 07 1998

SAN FRANCISCO
PUBLIC LIBRARY

RESCHEDULED MEETING

TUESDAY, AUGUST 11, 1998, 6:00-8:00 P.M.

VETERANS BUILDING

401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Tom Ammiano, Leland Yee, Amos Brown

CLERK: Barbara Stavro-Taylor

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Disability Access



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- ❖ For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-4851.

C A L E N D A R

RESCHEDULED MEETING RULES COMMITTEE BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, AUGUST 11, 1998 – 6:00–8:00 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: BARBARA STAVRO-TAYLOR

A P P O I N T M E N T S

1. File 98–1023. [Appointments, Shopping Cart Task Force] Hearing to consider appointing members to the Shopping Cart Task Force, seven members (representing Lucky Stores, Inc.; Safeway Stores, Inc.; Senior Disabled Community and the Coalition of Homelessness– 2 slots), terms to expire October 28, 1998. (Clerk of the Board)
(Continued from 7/28)

5 positions/4 applicants

Mara Raider (Coalition on Homelessness)
Jerome Reid (Coalition on Homelessness)
Jerry Waller (Lucky Stores, Inc.)*
Rebecca Philbert (Safeway Stores, Inc.)*

ACTION:

2. File 98–1024. [Appointment] Hearing to consider appointing members to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force, five members, terms expiring June 30, 1999. (Clerk of the Board)
(Continued from 7/28)

3 positions/4 applicants

Michelle Tactay
Molly Ingraham
Michael Johnson
Gigi Otalvaro–Hormillosa

ACTION:

3. File 92–97–4. [Appointment, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointment of member to the Lead Poisoning Prevention Citizens Advisory Committee, succeeding Karen Huggins (26625 – must represent public housing tenants), term expired August 20, 1997, for new four-year term ending August 20, 2001. (Clerk of the Board)
(Continued from 2/25/97)

1 position/1applicant
Sandra Carillo

ACTION:

4. File 98-1076. [Appointments, Sunshine Ordinance Task Force] Hearing to consider appointments to the Sunshine Ordinance Task Force succeeding Timothy Taylor (Seat 27113 – must be member of public with interest/experience in local govt.); and succeeding Amelia Ashley-Ward (Seat 27109 – must be member of public experienced in consumer advocacy), resigned, for unexpired portion of a two year term ending April 27, 2000. (Clerk of the Board)

2 positions/2 applicants

Richard Knee (Seat 27113)
Eusebio Rodriguez Gutierrez (Seat 27109)

ACTION:

5. File 98-0983. [Appointments, City-Wide Alcoholism Advisory Board] Hearing to consider appointing members to the City-Wide Alcoholism Advisory Board succeeding Damun Gracenin, Ph.D. (Seat 20609 – must have professional, research, or personal interest in alcoholism); succeeding Lucille Ramstetter (Seat 20607 – must have professional, research, or personal interest in alcoholism); succeeding Marilyn Schrick (Seat 20608 – must have professional, research, or personal interest in alcoholism); succeeding Leon Winston (Seat 20610 – must have professional, research, or personal interest in alcoholism) Harold T. West (Seat 20615 – must have professional, research, or personal interest in alcoholism), terms expiring July 1, 1998, for new three year terms ending July 1, 2001.

5 positions/3 applicants

E. Lucille Ramstetter (Seat 20607)
James Matter (Seat 20615)
Leon Winston (Seat 20610)

ACTION:

6. File 98-0756. [Appointment, Citizens Advisory Commission on Elections] Hearing to consider nominating members to the Citizens Advisory Committee on Elections for appointment by the Mayor, succeeding Peter Nardoza (Seat 30101), Gail Morthole (Seat 30102), terms ending May 15, 1998, for new four year terms ending May 15, 2002. (Clerk of the Board)
(Continued from 6/23/98)

2 positions/1 applicants

Joan Lewis (Seat 30102)

ACTION:

REGULAR CALENDAR

7. File 98-1060. [Gathering Signatures in Public Right-of-Way] Hearing to consider the ability of individuals who are gathering signatures for the purpose of placing voter initiatives on upcoming ballots to gather these signatures in the public right-of-way. (Supervisor Yee)

ACTION:

8. File 98-1250. [Board of Appeals] Ordinance amending Article 1 of Part III of the San Francisco Municipal Code by amending Section 16 thereto, to reduce the number of votes required to grant a rehearing from 4 to 3 when there is a vacant seat on the Board. (Board of Appeals)

ACTION:

9. File 241-97-1. [Neighborhood Representation, Boards/Commissions] Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. (Supervisor Ammiano)
(Continued from 6/23/98)

ACTION:

BALLOT ARGUMENTS

10. File 98-1306. [Ballot Argument, Customer Service Initiative] Hearing to consider submitting ballot argument in favor of charter amendment concerning customer service. (Supervisor Newsom)

ACTION:

11. File 98-1307. [Ballot Argument, Taxi Commission] Hearing to consider submitting ballot argument in favor of charter amendment concerning creation of Taxi Commission. (Supervisor Newsom)

ACTION:

12. File 98-1308. [Ballot Argument, Fire Department Pension Benefits] Hearing to consider submitting ballot argument in favor of charter amendment concerning retirement benefits for uniformed members of the Fire Department who were previously paramedics. (Supervisor Medina)

ACTION:

13. File 98-1309. [Ballot Argument, Police Retirement Benefits] Hearing to consider submitting ballot argument in favor of charter amendment concerning retirement benefits for police officers. (Supervisor Kaufman)

ACTION:

14. File 98-1310. [Ballot Argument, Hotel Tax Continuation] Hearing to consider submitting ballot argument in favor of ordinance approving the continued imposition of a two percent Hotel Tax Surcharge on the rent for occupancy of guest rooms in certain hotels for General Fund purposes. (Supervisor Kaufman)

ACTION:

15. File 98-1311. [Ballot Argument, Stadium Operators Tax] Hearing to consider submitting ballot argument in favor of ordinance approving the continued imposition of the Stadium Operator Admission Tax and the Temporary Admission Tax on stadium admissions, authorizing the establishment of a supplemental stadium admission tax upon expiration of the temporary admission tax. (Supervisor Leno)

ACTION:

16. File 98-1312. [Ballot Argument, Central Freeway] Hearing to consider submitting ballot arguments supporting or opposing ordinance on the November 3, 1998 ballot concerning the Central Freeway. (Clerk of the Board)

ACTION:

17. File 98-1313. [Ballot Arguments] Hearing to consider submitting ballot arguments supporting or opposing ordinance on the November 3, 1998 ballot concerning owner move-in evictions. (Clerk of the Board)

ACTION:

18. File 98-1323. [Ballot Argument, Universal Health Care] Hearing to consider submitting ballot argument supporting or opposing declaration of policy on the November 3, 1998, ballot concerning universal health care. (Clerk of the Board)

ACTION:

19. File 98-1324. [Ballot Argument, Passenger Rail Service] Hearing to consider submitting ballot argument supporting or opposing declaration of policy on the November 3, 1998, ballot concerning passenger rail service on the Bay Bridge. (Clerk of the Board)

ACTION:

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

20. File 98-1237. [Yee v. CCSF and Consolidated Actions] Ordinance authorizing the settlement of the cross- complaints of the City and County of San Francisco against cross-defendants A. Ruiz Construction Company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("Underground"), in the consolidated actions entitled Yee v. City and County of San Francisco, and Consolidated Actions, for a combined settlement payment to the City in the amount of \$7,816,666. (Superior Court No. 980-740) (City Attorney)

ACTION:

21. File 98-1282. [Settlement of Grievance - MEA v. CCSF] Ordinance authorizing settlement of class grievance regarding medical reimbursement by the Municipal Executives Association against the City and County of San Francisco by the payment of an amount not to exceed a combined total of \$350,000. (Department of Human Resources)

ACTION:

22. File 98-1283. [Settlement, Stuart Beach v. CCSF, et al.] Ordinance authorizing settlement of the sexual discrimination lawsuit titled Stuart Beach v. City and County of San Francisco, et al., and grievance filed by Stuart Beach in an amount not to exceed \$79,739.31. (Superior Court No. 994-565) (City Attorney)

ACTION:

23. File 98-1293. [Settlement, Stephens v. City and County] Ordinance authorizing settlement of litigation of Maria Stephens against the City and County of San Francisco for \$600,000. (Supervisor Ammiano)

ACTION:

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

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THERE ARE NONE AT THIS TIME.

RULES COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 308
SAN FRANCISCO, CA 94102

IMPORTANT HEARING NOTICE

A G E N D A

Rules Committee Board of Supervisors City and County of San Francisco

Dr. Paul Goff 1st Posted 8/7/98

AUG 12 1998

SAN FRANCISCO
PUBLIC LIBRARY

SPECIAL MEETING

TUESDAY, AUGUST 11, 1998, 6:45 P.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Tom Ammiano, Leland Yee, Amos Brown

CLERK: Barbara Stavro-Taylor

❖ ❖

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A G E N D A

SPECIAL MEETING

RULES COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, AUGUST 11, 1998 - 6:45 P.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

CLERK: BARBARA STAVRO-TAYLOR

1. File 98-0350. [Public Participation] Hearing to consider how to increase public participation in the business of the Board of Supervisors. (Supervisor Yee)

ACTION:

RULES COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 308
SAN FRANCISCO, CA 94102

IMPORTANT HEARING NOTICE

~~Regina Minudri~~ *alc?*
~~City Librarian~~
41 Main Library-Civic Center
100 Larkin Street

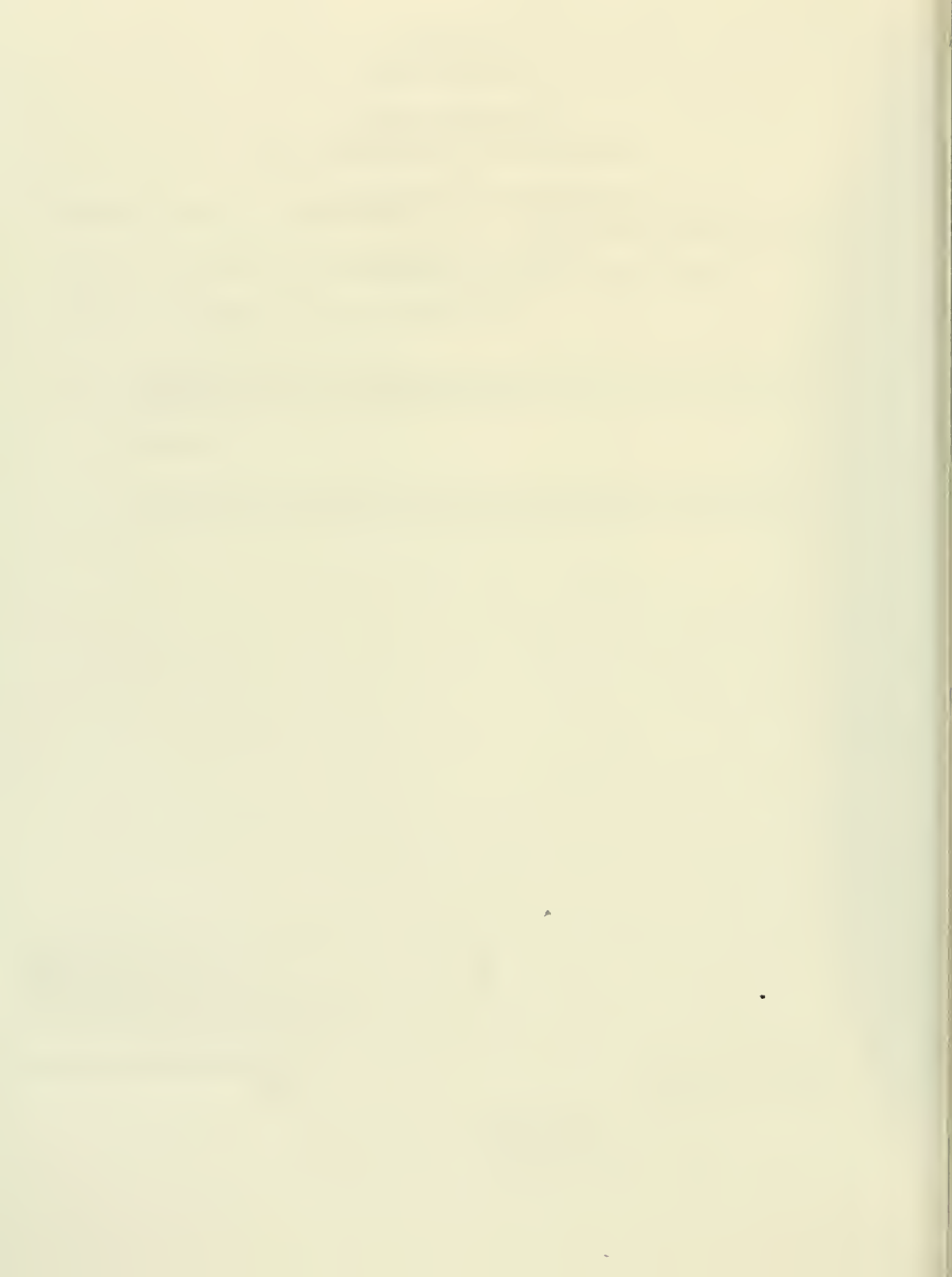
S.F. BOARD OF SUPERVISORS

RULES COMMITTEE

MINUTES

August 11, 1998

The Minutes of the Special and Rescheduled meetings are missing.



INTER-OFFICE MEMORANDUM
CLERK'S OFFICE — BOARD OF SUPERVISORS

JULY 31, 1998

DOCUMENTS DEPT.

AUG 6 1998

SAN FRANCISCO
PUBLIC LIBRARY

TO: SUPERVISOR TOM AMMIANO, CHAIR
RULES COMMITTEE

FROM: MARY L. RED, CLERK

SUBJECT: PENDING LIST

MEETING DATES: AUGUST 11, 1998

NOTE: RULE 5.37, FILING OF INACTIVE MATTERS

*Pursuant to Rule 5.37, the items denoted with an asterisk have been inactive in Committee for five consecutive months; unless the item is heard the following month, it is deemed to be inactive and shall be filed by the Clerk.

APPOINTMENTS

1. File 92-96-32. [Appointments, Hazardous Materials Advisory Cmte.] Hearing to consider appointing members to the Hazardous Materials Advisory Committee, Seat Vacant (Seat 22605, must be epidemiologist) and Steven Medbery (Seat 22618, Public Utilities Commission) for new four-year terms beginning July 1, 1996 and ending July 1, 2000; see Files 92-96-32.1, 92-96-32.2, and 92-96-32.3. (Clerk of the Board)

STATUS: [6/3/96] – Awaiting Committee action.

9/17/96 – Hearing held. Appointment of Seat 22614 recommended. Seats 22605 and 22618 CONTINUED TO THE CALL OF THE CHAIR.

2. File 92-96-45. [Appointments, Airport Noise Committee] Hearing to consider appointments to the Airport Noise Committee, succeeding David Wilson (Seat 20501, SFIA); succeeding Stuart Sunshine (Seat 20502, nominee of Mayor); succeeding Ben Gale (Seat 20503, Dept. of Public Health); succeeding William Arietta (Seat 20504, Police Dept.); succeeding Theodore Pederson (Seat 20505, Dept. of Public Works); succeeding Barbara Sahm (Seat 20506, Dept. of City Planning); succeeding Don Bertone (Seat 20508, Supervisor Medina); succeeding Charles Kroupa (Seat 20510, Supervisor Leal); succeeding Aurea Luis-Carnes (Seat 20514, Supervisor Katz); succeeding David Bisho (Seat 20516, Supervisor Teng); terms expired September 30, 1996, for new three-year terms beginning September 30, 1996 and ending September 30, 1999. (Clerk of the Board)

STATUS: [9/3/96] – Awaiting Committee action.

12/9/97 – Hearing held. Appointment of Curt Holzinger, succeeding Don Bertone (Seat 20508, nominee of Supervisor Medina) recommended. (See File 92-96-45.4.) Consideration of remaining appointments continued to the Call of the Chair.

3. File 92-96-46. [Appointment, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointment to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Ana Shul (Seat 26619, low-income advocate), term expired August 20, 1996, for new four-year term ending August 20, 2000; see Files 92-96-46.1, 92-96-46.2, and 92-96-46.3. (Clerk of the Board)

STATUS: 5/20/97 – Hearing held. Appointment of Carla Furtado (succeeding Elise Stone, Seat 26616, health educator) recommended. (See File 92-96-46.3.) Consideration of remaining appointment continued to the Call of the Chair (succeeding Ana Shul, Seat 26619, low-income advocate).

4. File 92-96-47. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointments to the Lead Poisoning Prevention Citizens Advisory Committee, succeeding Silen Nhok (Seat 26618, must be language specialist), resigned, for unexpired portion of four-year term ending August 20, 1997, and succeeding Carmela Rombawa-Bey (Seat 26621, expertise in non-profit clinics), resigned, for unexpired portion of four-year term ending August 20, 1999. (Clerk of the Board)

STATUS: [9/3/96] – Awaiting Committee action.
8/23/96 – Vacancy notice posted.

5. File 92-96-53. [Appointments, Hazardous Materials Advisory Committee] Hearing to consider appointments to the Hazardous Materials Advisory Committee succeeding Kathleen Kahler (Seat 22606, must be health educator), resigned, for the unexpired portion of the four-year term ending July 1, 1998. (Clerk of the Board)

STATUS: [10/15/96] – Awaiting Committee action.

6. File 92-97-4. [Appointment, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointment of member to the Lead Poisoning Prevention Citizens Advisory Committee, succeeding Karen Huggins (26625 – must represent public housing tenants), term expired August 20, 1997, for new four-year term ending August 20, 2001. (Clerk of the Board)

STATUS: [2/18/97] – Awaiting Committee action.
(2/14/97 – Vacancy Notice Posted.)
2/25/97 – Hearing held. Appointments of Loretta Krueger (Seat 22617, succeeding Amy Vanacore) and Maria Luz Torre (Seat 26623, succeeding Tracy Brown) recommended. Consideration of remaining appointment continued to the Call of the Chair (succeeding Karen Huggins (Seat 22625)).

7. File 92-97-8. [Appointments, Child Care Planning and Advisory Council] Hearing to consider appointment of one (1) initial member to the Child Care Planning and Advisory Council. (Clerk of the Board)

STATUS: [3/17/97] – Awaiting Committee action.
10/14/97 – Hearing held. Appointment of Philip Tse (Seat 29622) recommended for a term to be determined by lot. (See File 92-97-8.5.) Consideration of remaining appointment continued to the Call of the Chair (Seat 29621 – Client of Publicly Subsidized Child Care Program).

8. File 92-97-12. [Appointment, Telecommunications Policy Committee] Hearing to consider appointing members to the Telecommunications Policy Committee, succeeding Sue Levitin (Seat No. 21601 – representative of the Cable Television Franchise holder [TCI]); succeeding George E. McBride (Seat No. 21602 – representative of a City Agency (Library); succeeding Owen Seitel (Seat 21603 – representative of public at large); succeeding Zane G. Blaney (Seat 21604 – representative of public at large), terms expired February 1, 1997, for new two-year term ending February 1, 1999. (Clerk of the Board)

STATUS: [4/7/97] – Awaiting Committee action.
6/18/98, Legislation required to abolish this Committee; see file for memo.

9. File 92-97-16. [Appointment, Citizens Advisory Commission on Elections] Hearing to consider the nomination of member to the Citizens Advisory Committee on Elections for appointment by the Mayor, succeeding George Mix (Seat 30104), term expired May 16, 1997, for new four-year term ending May 16, 2001. (Clerk of the Board)

STATUS: [4/14/97] – Awaiting Committee action.
6/10/97 – Hearing held. Appointments of Christopher L. Bowman, succeeding himself (Seat 30105), and Samson W. Wong, succeeding himself (Seat 30106) recommended. (See File 92-97-16.1.)
Consideration of remaining appointment continued to the Call of the Chair (succeeding George Mix, Seat 30104).

10. File 92-97-25. [Appointments, Hazardous Materials Advisory Committee] Hearing to consider appointing members to the Hazardous Materials Advisory Committee succeeding Frank Donahue (Seat 22607 – must represent neighborhood organization); and succeeding Edward R. Fowlie (Seat 22611 – must represent labor), terms expired July 1, 1997, for new four-year terms ending July 1, 2001. (Clerk of the Board)

STATUS: [6/2/97] – Awaiting Committee action.
12/9/97 – Hearing held. Appointment of Ross A. Tibbits, succeeding Thomas Bernard (Seat 22620 – open seat, no requirement) recommended. (See File 92-97-25.2.) Consideration of remaining appointments continued to the Call of the Chair.

11. File 92-97-28. [Appointments, Maternal, Child and Adolescent Health Board] Hearing to consider appointing members to the Maternal, Child and Adolescent Health Board, succeeding Margaret Royce (Seat 22804 – must be nurse); succeeding Barbara Williamson (Seat 22805 – Full Board); succeeding Meredith Cahn (Seat 22806 – must be parent); succeeding Mary Costello (Seat 22807 – must be parent); succeeding Linda S. White (Seat 22808 – must be health professional); succeeding Philip Ziring, M.D. (Seat 22816 – must be health professional); succeeding Annabelle Null (Seat 22818 – must be parent); succeeding Barbara Phillips (Seat 22821 – must be educator); succeeding Saralie B. Pennington (Seat 22822 – must be social worker), terms expired August 31, 1995, for new three-year terms ending August 31, 1998. (Clerk of the Board)

STATUS: [6/30/97] – Awaiting Committee action.
7/8/97 – Appointment of Citania Tam, succeeding Lynn Fang (Seat 22820, nominee of Supervisor Medina and parent) recommended. (See File 92-97-28.1.) Consideration of remaining appointments Continued to the Call of the Chair.
7/22/98, Combined Seat 22802/Supervisor Katz/health professional), with File 98-1232.

12. File 92-97-37. [Appointments, Adult Day Health Care Planning Council] Hearing to consider appointing members to the Adult Day Health Care Planning Council, succeeding William Gee (Seat 20002 – Age Group), term expired September 30, 1995, for new three-year term ending September 30, 1998; succeeding Eunice Willette (Seat 20003 – Age Group), term expired September 30, 1995, for new three-year term ending September 30, 1998; and succeeding Valerie Door (Seat 20014 – representative of health facility providing senior care), term expired September 30, 1995, for new three-year term ending September 30, 1998. (Clerk of the Board)

STATUS: [8/4/97] – Awaiting Committee action.

10/14/97 – Hearing held. Appointment of Ruth P. Morales, succeeding Joseph Mignola, Jr. (Seat 20008 – Age Group), term expired September 30, 1996, for new three-year term ending September 30, 1999, recommended. (See File 92-97-37.3.) Consideration of remaining appointments continued to the Call of the Chair.

13. File 92-97-46. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointing members to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Maggie LaRue (Seat 26607 – must represent the Mayor's Office of Housing and Child Care), James Threat (Seat 26608 – must represent the Recreation and Park Department), Stacey Samek-Herrera (Seat 26609 – must represent the San Francisco Unified School District), and David Tran (Seat 26615 – must have expertise in environmental matters), terms expired August 20, 1997, for new four-year terms ending August 20, 2001. (Clerk of the Board)

STATUS: [10/20/97] – Awaiting Committee action.

1/13/98, Hearing held. Appointments of Nikkie Ho, succeeding herself (Seat 26604–must represent a tenant organization), Dianne C. Velleno, succeeding herself (Seat 26610–must have expertise in State preschools) and Michael Miller, succeeding himself (Seat 26614–must have expertise in real estate), recommended. (See File 98-0085). Consideration of remaining appointments CONTINUED TO CALL OF THE CHAIR.

14. File 92-97-47. [Appointments, Local Homeless Coordinating Board] Hearing to consider appointing two members to the newly established Local Homeless Coordinating Board, as follows: Seat 30710 – must represent a Foundation; Seat 30711 – must represent labor. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.

12/9/97 – Hearing held. Appointment of Jennifer Grant recommended for indefinite term. (See File 92-97-47.2.) Consideration of remaining appointments continued to the Call of the Chair.

15. File 92-97-49. [Appointments, City-Wide Alcoholism Advisory Board] Hearing to consider appointing members to the City-Wide Alcoholism Advisory Board, succeeding Heather Bostian (Seat 20602 – must have professional, research or personal interest in alcoholism), and Deborah Doyle (Seat 20605 – must have professional, research or personal interest in alcoholism), resigned, for unexpired portions of three-year terms ending July 1, 1999. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.

(12/9/97 – Consideration continued to the Call of the Chair.)

16. File 92-97-50. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Jordan Rinker, M.D. (Seat 26717 – must be a physician); Angela Hodgson (Seat 26722 – must be a parent), terms expired December 22, 1997, for new four-year terms ending December 22, 2001. (Clerk of the Board)

STATUS: [11/17/97] – Awaiting Committee action.
(7/28/98, Hearing held. Appointment of Thomas A. Lewis recommended; [See File 98-1271]; remaining appointments continued to call of the chair).

17. File 92-97-50.3. [Appointments, Lead Hazard Reduction Citizens Advisory Committee] Hearing to consider appointing members to the Lead Hazard Reduction Citizens Advisory Committee, succeeding Robert Y. Nakamura (Seat 26720 – must represent CAL/OSHA [Ex-officio member]), terms expired December 22, 1995, for new four-year terms ending December 22, 1999. (Clerk of the Board)

STATUS: [12/15/97] – Awaiting Committee action.
(7/14/98, Hearing held. Appointment of Donald Lanier recommended. [See File 98-1180]; remaining appointment continued to call of the chair).

18. File 98-0154. [Appointment, Local Homeless Coordinating Board] Hearing to consider appointing member to the Local Homeless Coordinating Board, succeeding Victoria B. Black (Seat 30702–must represent homeless or formerly homeless), resigned, for an indefinite term. (Clerk of the Board)

STATUS: [1/5/98] Awaiting committee action.
1/30/98, Vacancy Notice posted.

19. File 98-0169. [Appointments, Mental Health Board] Hearing to consider appointing members to the San Francisco Mental Health Board, succeeding Anita Burton (Seat 50113–must be family member); succeeding Lois A. Jones, (Seat 50114–must be family member) and succeeding Toye Moses, Ph.D.,MPH (Seat 50115–must be health professional), terms expired January 31, 1998, for new three-year terms ending January 31, 2001. (Clerk of the Board)

STATUS: [2/2/98] Awaiting committee action.

20. File 98-0170. [Appointments, Veterans Affairs Commission] Hearing to consider appointing members to the Veterans Affairs Commission, succeeding C.J. Thompson-White (Seat 23805–must be a woman veteran); and succeeding Edwin A. Wilkerson (Seat 23810–must be an at-large appointment); terms expired January 31, 1998, for new four-year terms ending January 31, 2002. (Clerk of the Board)

STATUS: [2/2/98] Awaiting committee action.

21. File 98-0420. [Appointment, Advisory Council/Commission on Aging] Hearing to consider appointing members to the Advisory Council to the Commission on the Aging succeeding Marian Levy (Seat 20301--must be nominee of Supervisor Newsom); John Horak (Seat 20302--must be nominee of Supervisor Brown); Lena Leong (Seat 20305--must be nominee of Supervisor Yee); terms expired March 31, 1998, for new two year terms to expire March 31, 2000. (Clerk of the Board)

STATUS: [3/23/98] Awaiting committee action.

(3/24/98, Hearing held. Appointment of Reeva Olson, Florence Eldelman, and Vera Haile recommended in File 98-0504.

Consideration of remaining appointments continued to call of the chair).

22. File 98-0627. [Appointment, Hazardous Materials Advisory Committee] Hearing to consider appointing member to the Hazardous Materials Advisory Committee succeeding Susan Glendening (Seat 22614--must represent environmental organization) resigned, for unexpired portion of four year term ending July 1, 2000. (Clerk of the Board)

STATUS: (4/13/98) Awaiting committee action.

4/21/98, Vacancy Notice Posted.

23. File 98-0756. [Appointment, Citizens Advisory Commission on Elections] Hearing to consider nominating members to the Citizens Advisory Committee on Elections for appointment by the Mayor, succeeding Peter Nardoza (Seat 30101), Gail Morthole (Seat 30102), terms ending May 15, 1998, for new four year terms ending May 15, 2002. (Clerk of the Board)

STATUS: (5/18/98) Awaiting committee action.

(6/23/98, Hearing held. Appointment of Anne Politeo, succeeding Martha Knutzen (Seat 30103), recommended. (See File 98-1065).

Consideration of remaining appointments continued to call of the chair).

24. File 98-0907. [Appointments, Skating Advisory Committee] Hearing to consider appointing members to the Skating Advisory Committee. (Clerk of the Board)

STATUS: (6/8/98) Awaiting committee action.

Vacancy Notice posted 6/6/98.

25. File 98-0942. [Appointments, Audit Committee] Hearing to consider appointments to the Audit Committee, two positions (must be member of public with awareness of/experience in government financial reporting requirements), for two year terms. (Clerk of the Board)

STATUS: (6/8/98) Awaiting committee action.

Vacancy Notice posted 6/8/98.

26. File 98-0983. [Appointments, City-Wide Alcoholism Advisory Board] Hearing to consider appointing members to the City-Wide Alcoholism Advisory Board succeeding Damun Gracenin, Ph.D. (Seat 20609 – must have professional, research, or personal interest in alcoholism); succeeding Lucille Ramstetter (Seat 20607 – must have professional, research, or personal interest in alcoholism); succeeding Marilyn Schrick (Seat 20608 – must have professional, research, or personal interest in alcoholism); succeeding Leon Winston (Seat 20610 – must have professional, research, or personal interest in alcoholism) Harold T. West (Seat 20615 – must have professional, research, or personal interest in alcoholism), terms expiring July 1, 1998, for new three year terms ending July 1, 2001.

STATUS: (6/22/98) Awaiting committee action.

27. File 98-0984. [Appointments, Park and Open Space Advisory Committee] Hearing to consider appointing members to the Park and Open Space Advisory Committee, succeeding Ron Miguel (Seat 23303 – must be nominee of Supervisor Medina); succeeding Ailene Herold-Coffino (seat 23311 – must be nominee of Supervisor Medina from organization list); succeeding Nan McGuire (Seat 23312 – must be nominee of Supervisor Yaki); succeeding Gaeta Bell (Seat 23309 – must be nominee of Supervisor Leno); succeeding Fannie C. She (Seat 23306 – must be nominee of Supervisor Teng); succeeding Alan Weaver (Seat 23302 – must be nominee of Supervisor Newsom from list of organizations); for terms expiring July 15, 1998, for new two year terms ending July 15, 2000.

STATUS: (6/22/98) Awaiting committee action.

(7/28/98, Hearing held. Appointments of Julia Viera and Harold Supriano recommended. [See File 98-1270]; remaining appointments continued to call of the chair).

28. File 98-0985. [Appointments, Hazardous Materials Advisory Committee] Hearing to consider appointing members to the Hazardous Materials Advisory Committee succeeding Aurea Luis-Carnes (Seat 22602 – must represent environmental industry); terms expiring July 1, 1998, for new four year terms ending July 1, 2002. (Clerk of the Board)

STATUS: (6/22/98) Awaiting committee action.

(7/14/98, Hearing held. Appointment of Mark Galbo recommended. [See File 98-1182]; remaining appointment continued to call of the chair.

29. File 98-1023. [Appointments, Shopping Cart Task Force] Hearing to consider appointing members to the Shopping Cart Task Force, seven members (representing Lucky Stores, Inc.; Safeway Stores, Inc.; Senior Disabled Community and the Coalition of Homelessness– 2 slots), terms to expire October 28, 1998. (Clerk of the Board)

STATUS: (6/22/98) Awaiting committee action.

6/16/98, Vacancy Notice posted.

(7/28/98, Hearing held. Consideration continued to August 11, 1998).

30. File 98-1024. [Appointment] Hearing to consider appointing members to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force, five seats (Seats 10-14), terms expiring June 30, 1999. (Clerk of the Board)

STATUS: (6/22/98) Awaiting committee action.

Vacancy Notice posted 6/16/98.

(7/28/98, Hearing held. Appointment of Adrian Lamo (Seat 10) and Bryan Kutner (Seat 11), recommended. [See File 1272].

Remaining appointments continued to August 11, 1998).

31. File 98-1076. [Appointments, Sunshine Ordinance Task Force] Hearing to consider appointments to the Sunshine Ordinance Task Force succeeding Timothy Taylor (Seat 27113 – must be member of public with interest/experience in local govt.); and succeeding Amelia Ashley-Ward (Seat 27109 – must be member of public experienced in consumer advocacy), resigned, for unexpired portion of a two year term ending April 27, 2000. (Clerk of the Board)

STATUS: [6/29/98] Awaiting committee action.

32. File 98-1232. [Appointments, Maternal Child Adolescent Health Board] Hearing to consider appointing members to the Maternal Child Adolescent Health Board succeeding Toye Moses (Seat 22802–must be nominee of Supervisor Katz and health professional), term expired August 31, 1995; succeeding Margaret O'Sullivan (Seat 22801–must be nominee of Supervisor Kaufman); succeeding Susan Obata, M.D. (Seat 22803–must be nominee of Supervisor Ammiano); succeeding Harry Coren, M.D. (Seat 22810–must be health professional; succeeding Charlene Clemens (Seat 22811–must be health professional); succeeding Elena Fuentes-Afflick, M.D. (Seat 22812–must be nominee of Supervisor Bierman and health professional); succeeding Judith Levine (Seat 22813–must be nutritionist); succeeding Winchell Quock, M.D. (Seat 22814– must be nominee of Supervisor Yee and educator); succeeding Jeanine Bianco (Seat 22815–must be nominee of Supervisor Brown and rep. child development); succeeding Lynn Barbaree (Seat 22817–must be nominee of Supervisor Teng); succeeding Josie Clevenger, R.N. (Seat 22819–must be nominee of Supervisor Leno and pediatrician); succeeding Citania Tam (Seat 22820–must be nominee of Supervisor Medina and a parent), terms expiring August 31, 1998, for new three year terms ending August 31, 2001. (Clerk of the Board)

STATUS: [7/27/98] Awaiting committee action.

GENERAL MATTERS

33. File 97-97-29. [Delinquency Prevention Commission] Ordinance amending Administrative Code by repealing Sections 20.50, 20.51, and 20.52, to dissolve the Delinquency Prevention Commission, and by repealing Section 10.117-104, to close the Friends of the Delinquency Prevention Commission Special Fund. (Clerk of the Board)

STATUS: [9/29/97] – Awaiting Committee action.

34. File 97-97-37. [Public Record, Contract/Bid Raters] Ordinance amending Administrative Code Section 67.24 to specify that the evaluation forms and names of persons serving as raters for any City contract selection or bidding procedures would be subject to public inspection after the evaluation process has been completed. (Supervisor Ammiano)

STATUS: [6/23/98] Awaiting committee action.
(10/28/97, Hearing held. Recommended).
12/8/97, Referred to Rules Committee.
(5/26/98, Consideration continued to call of the chair).

35. File 241-97-1. [Neighborhood Representation, Boards/Commissions] Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission, Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election. (Supervisor Ammiano)

STATUS: [3/31/98] Awaiting committee action.
(4/14/98, Hearing held. Consideration continued to June 23).
(6/23/98, Hearing held. Consideration continued to August 11).

36. File 98-0350. [Public Participation] Hearing to consider how to increase public participation in the business of the Board of Supervisors. (Supervisor Yee)

STATUS: [3/2/98] Awaiting committee action.
(5/12/98, Hearing held. Consideration continued to call of the chair)

37. File 98-0351. [Instant Runoff Voting] Hearing to consider feasibility of an instant runoff voting system for local elective office. (Supervisor Ammiano)

STATUS: [3/2/98] Awaiting committee action.
(5/12/98, Hearing held. Consideration continued to call of the chair)

38. File 98-0754. [Reimbursement to Employees] Hearing to consider claims of employees, various departments, for reimbursement of personal property damaged and/or stolen in the line of duty.

STATUS: [5/18/98] Awaiting committee action.

39. File 98-0806. [Sunshine Ordinance Task Force Membership] Ordinance amending Administrative Code Section 67.30 to delete the requirement for the selection of two members of the Sunshine Ordinance Task Force from names submitted by the local chapter of the Society of Professional Journalists. (Supervisor Brown)

STATUS: [5/18/98] Awaiting committee action.
(7/28/98, Hearing held. Consideration continued to September 22).

40. File 98-0829. [Charter Amendment, Health Care Purchasing Authority.] Charter amendment (First Draft) adding Sections 12.204 through 12.212 to create a Health Care Purchasing Authority to procure health care benefits for (1) certain active, retired and former employees and officers of the City and County, San Francisco Unified School District, San Francisco Community College District and the dependents of such individuals, (2) employees of private employers, self employed residents and the dependents of such individuals and (3) certain government-sponsored individuals. (Supervisor Katz)

STATUS: [5/18/98] Awaiting committee action.
6/16/98, Per request from sponsor, remove from agenda for June 23 and postpone until future date has been determined.

41. File 98-1002. [State Legislation, SB 7] Resolution supporting Senate Bill 7, which regulates early satellite voting locations. (Supervisors Yee, Ammiano)

STATUS: (6/15/98) Referred to Board for adoption without committee reference calendar June 22, 1998.
6/22/98, Severed, referred to Rules Committee

42. File 98-1002. [State Legislation, SB 7] Resolution opposing Senate Bill 7, which regulates early satellite voting locations. (Supervisors Brown, Bierman)

STATUS: (6/15/98) Referred to Board for adoption without committee reference calendar June 29, 1998.
6/29/98, Severed, referred to Rules Committee

43. File 98-1060. [Gathering Signatures in Public Right-of-Way] Hearing to consider the ability of individuals who are gathering signatures for the purpose of placing voter initiatives on upcoming ballots to gather these signatures in the public right-of-way. (Supervisor Yee)

STATUS: (6/22/98) Awaiting committee action.

44. File 98-1250. [Board of Appeals] Ordinance amending Article 1 of Part III of the San Francisco Municipal Code by amending Section 16 thereto, to reduce the number of votes required to grant a rehearing from 4 to 3 when there is a vacant seat on the Board. (Board of Appeals)

STATUS: [8/3/98] Awaiting committee action.

45. File 98-1263. [Grand Jury Repot on Overtime] Hearing to consider the 1997-98 Civil Grand Jury Report on Overtime. (Supervisors Yee, Ammiano)

STATUS: [7/27/98] Awaiting committee action.

LITIGATION MATTERS

46. File 98-1237. [Yee v. CCSF and Consolidated Actions] Ordinance authorizing the settlement of the cross- complaints of the City and County of San Francisco against cross-defendants A. Ruiz Construction Company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("Underground"), in the consolidated actions entitled Yee v. City and County of San Francisco, and Consolidated Actions, for a combined settlement payment to the City in the amount of \$7,816,666. (Superior Court No. 980-740) (City Attorney)

STATUS: [7/27/98] Awaiting committee action.

47. File 98-1282. [Settlement of Grievance - MEA v. CCSF] Ordinance authorizing settlement of class grievance regarding medical reimbursement by the Municipal Executives Association against the City and County of San Francisco by the payment of an amount not to exceed a combined total of \$350,000. (Department of Human Resources)

STATUS: [8/3/98] Awaiting committee action.

cc: Members, Board of Supervisors
Clerk of the Board
Deputy Clerks (2)
Steve Kawa, Mayor's Office
Ted Lakey, Deputy City Attorney
Budget Analyst
Controller

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AGENDA

Rules Committee Board of Supervisors City and County of San Francisco

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SPECIAL MEETING

MONDAY, AUGUST 24, 1998, 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Tom Ammiano, Leland Yee, Amos Brown

CLERK: Mary Red

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Disability Access



Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.



There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.



Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 308 staff.

The following services are available on request 48 hours prior to the meeting or hearing:

- ❖ For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
- ❖ For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-4851.

1. File 98-1367. [Rebuttal to Ballot Argument Against Proposition A] Motion submitting rebuttal to opponent's argument against Proposition A, charter amendment concerning police officers retirement plan. (Clerk of the Board)

ACTION:

2. File 98-1368. [Rebuttal to Ballot Argument Against Proposition B] Motion submitting rebuttal to opponent's argument against Proposition B, charter amendment concerning customer service plan. (Clerk of the Board)

ACTION:

3. File 98-1369. [Rebuttal to Ballot Argument Against Proposition C] Motion submitting rebuttal to opponent's argument against Proposition C, charter amendment concerning fire department paramedics retirement plan. (Clerk of the Board)

ACTION:

4. File 98-1370. [Rebuttal to Ballot Argument Against Proposition D] Motion submitting rebuttal to opponent's argument against Proposition D, charter amendment concerning taxi commission. (Clerk of the Board)

ACTION:

5. File 98-1371. [Rebuttal to Ballot Argument Against Proposition F] Motion submitting rebuttal to opponent's argument against Proposition F, stadium operator tax ordinance. (Clerk of the Board)

ACTION:

6. File 98-1372. [Rebuttal to Ballot Argument Against Proposition H] Motion submitting rebuttal to opponent's argument against Proposition H, hotel tax surcharge ordinance. (Clerk of the Board)

ACTION:

RULES COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 308
SAN FRANCISCO, CA 94102

IMPORTANT
HEARING NOTICE

S.F. BOARD OF SUPERVISORS

RULES COMMITTEE

MINUTES

August 24, 1998

The Minutes of this meeting are missing.



CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

September 18, 1998

TO: Rules Committee
FROM: Budget Analyst *Recommendations for meeting of*
SUBJECT: September 22, 1997 Rules Committee Meeting
1998

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Item 17 - File 98-1246

Department: Police Department

Item: Resolution accepting the gift of a cargo and vehicle tracking system valued at approximately \$15,000 from the Teletric Corporation for the San Francisco Police Department - Airport Bureau.

Description: The proposed resolution would authorize the Police Department to accept a gift of a vehicle and cargo tracking system valued at approximately \$15,000 for the Investigative Services Unit of the San Francisco Police Department - Airport Bureau.

According to Captain Frank O'Malley of the San Francisco Police Department - Airport Bureau, the Investigative Services Unit would use the cargo and vehicle tracking system in tracking stolen cargo and vehicles.

Memo to Rules Committee
September 22, 1998 Rules Committee Meeting

Comment: Captain O'Malley advises that the maintenance and repair costs will be minimal and will be absorbed by the Airport Bureau's existing budget.

Recommendation: Approve the proposed resolution.

Item 20 – File 98-1480

Department: Department of Public Works (DPW)
Department of Human Resources (DHR)

Item: Ordinance authorizing settlement of a grievance of Mr. Andrew Stelman filed pursuant to the Memoranda of Understanding between the International Federation of Professional and Technical Engineers (IFPTE), Local 21, AFL-CIO, and the City in the amount of \$35,000.

Amount: \$35,000

Source of Funds: Previously appropriated DPW FY 1998-99 overhead funds

Description: Mr. Andrew Stelman served as a 5266 Architectural Associate II at DPW's Bureau of Architecture from July 20, 1992 to July 6, 1998, approximately six years. According to Mr. James Horan of DPW, Mr. Stelman's Supervisor suspected Mr. Stelman of operating a private consulting business from his office in the Bureau of Architecture during City work hours. Mr. Horan reports that in January of 1998, Mr. Stelman's supervisor engaged in a physical search of Mr. Stelman's property which identified incriminating documents supporting the suspicion. Following the incident in January of 1998, Mr. Stelman was placed on unpaid administrative leave while the City Attorney's office conducted an investigation.

On July 2, 1998, Mr. Stelman filed a claim against the City charging invasion of privacy, illegal search and seizure, disparate treatment, and constructive discharge. The City Attorney and Mr. Stelman took the claim to an independent mediator and the parties reached a settlement on July 6, 1998 in the subject amount of \$35,000.

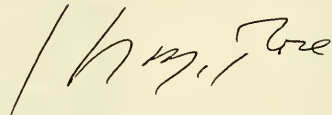
Comments: 1. According to Mr. Martin Gran of the City Attorney's Office, as part of this settlement agreement, Mr. Stelman resigned from City employment on July 6, 1998 and has agreed never to seek or accept employment with the City in the future. Mr. Gran states that if additional details regarding Mr. Stelman's claim and the proposed

Memo to Rules Committee
September 22, 1998 Rules Committee Meeting

settlement are needed by the Rules Committee, such details should be obtained in executive session.

2. According to Mr. Ted Lakey of the City Attorney's Office, the City Attorney intends to introduce a resolution at the September 23rd meeting of the Finance Committee which would serve as a replacement for the subject ordinance. Mr. Lakey reports that the proposed resolution would differ from the subject ordinance only in that it is a resolution.

Recommendation: Approval of the proposed resolution as submitted by the City Attorney's Office, as a substitute for this proposed ordinance, is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Leno
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey

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9/22/98

AGENDA

Action Taken

REGULAR MEETING

RULES COMMITTEE
BOARD OF SUPERVISORS
 CITY AND COUNTY OF SAN FRANCISCO

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OCT 01 1998

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PUBLIC LIBRARY

TUESDAY, SEPTEMBER 22, 1998 - 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVE., ROOM 410

PRESENT: SUPERVISORS TOM AMMIANO, LELAND YEE, AMOS BROWN

ABSENT: SUPERVISOR YEE FOR ALL ITEMS EXCEPT #3.

CLERK: MARY L. RED

APPOINTMENTS

1. File 92-97-4. [Appointment, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointment of member to the Lead Poisoning Prevention Citizens Advisory Committee: succeeding Ana Shul (Seat 26619, low-income advocate), term expired August 20, 1996, for new four-year term ending August 20, 2000 (see Files 92-96-46.1, 92-96-46.2, and 92-96-46.3); succeeding Silen Nhok (Seat 26618, must be language specialist), resigned, for unexpired portion of four-year term ending August 20, 1997, and succeeding Carmela Rombawa-Bey (Seat 26621, expertise in non-profit clinics), resigned, for unexpired portion of four-year term ending August 20, 1999; succeeding Karen Huggins (26625 - must represent public housing tenants), term expired August 20, 1997, for new four-year term ending August 20, 2001. (Clerk of the Board)

Continued from 8/11/98-Chair may entertain a motion to continue this motion to the call of the chair).

ACTION: Consideration continued to call of the chair.

2. File 98-0420. [Appointment, Advisory Council/Commission on Aging] Hearing to consider appointing members to the Advisory Council to the Commission on the Aging succeeding Marian Levy (Seat 20301-must be nominee of Supervisor Newsom); John Horak (Seat 20302-must be nominee of Supervisor Brown); Lena Leong (Seat 20305-must be nominee of Supervisor Yee); terms expired March 31, 1998, for new two year terms to expire March 31, 2000. (Clerk of the Board)

3 positions/1 applicant

Lincoln Yee (Seat 5/Supervisor Yee)

ACTION: Hearing held. Appointment of Lincoln Yee recommended (See File 98-1587). Remaining appointments continued to call of the chair.

File 98-1587. Appointment of Lincoln Yee, succeeding Lena Leong (Seat 5-must be nominee of Supervisor Yee), term expired March 31, 1998, for new two-year terms to expire March 31, 2000; recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Advisory Council to the Commission on the Aging." RECOMMENDED. (See File 98-0420 for remaining appointments)

3. File 98-1076. [Appointments, Sunshine Ordinance Task Force] Hearing to consider appointments to the Sunshine Ordinance Task Force succeeding Timothy Taylor (Seat 27113 - must be member of public with interest/experience in local govt.); and succeeding Amelia Ashley-Ward (Seat 27109 - must be member of public experienced in consumer advocacy), resigned, for unexpired portion of a two year term ending April 27, 2000. (Clerk of the Board) (Continued from 8/11/98)

2 positions/6 applicants

Richard Knee
Eusebio Rodriguez Gutierrez
Ollie Bryant, Jr.
Angela Armstrong
Hilda Bernstein
Sue Cauthen

ACTION: Hearing held. Appointment of Hilda Bernstein, succeeding Timothy Taylor (Seat 13-must be member of public with interest/experience in local govt.) and Angela Armstrong, succeeding Amelia Ashley-Ward (Seat 9-must be member of public experienced in consumer advocacy), resigned, for unexpired portion of a two-year term ending April 27, 2000, recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Sunshine Ordinance Task Force." RECOMMENDED.

4. File 92-97-46. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointing members to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Maggie LaRue (Seat 26607 - must represent the Mayor's Office of Housing and Child Care), James Threat (Seat 26608 - must represent the Recreation and Park Department), Stacey Samek-Herrera (Seat 26609 - must represent the San Francisco Unified School District), and David Tran (Seat 26615 - must have expertise in environmental matters), terms expired August 20, 1997, for new four-year terms ending August 20, 2001. (Clerk of the Board)

4 positions/2 applicants

*Maggie Davis-Badger (Seat 7)
*James Threat (Seat 8-incumbent)

ACTION: Hearing held. Appointment of Maggie Davis-Badger and James Threat recommended, (See File 98-1588). Remaining appointments continued to call of the chair.

File 98-1588. Appointment of Maggie Davis-Badger, succeeding Maggie LaRue (Seat 7-must represent Mayor's Office of Housing and child care) and James Threat, succeeding himself (Seat 8-must represent Recreation and Park Department), terms expired August 20, 1997, for new four-year terms ending August 20, 2001. Resolution prepared in and reported out of committee entitled, "Appointing members to the Lead Poisoning Prevention Citizens Advisory Committee; and making findings waiving residency requirement." RECOMMENDED. (See File 92-97-46 for remaining appointments)

5. File 98-1458. [Appointments, Lead Poisoning Prevention Citizens Advisory Committee] Hearing to consider appointing members to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Lynn Barbaree (Seat 1-must have expertise in child care) and succeeding Karen Garrett (Seat 5-must represent Department of Human Services), resigned, for unexpired portions of terms ending August 20, 1999. (Clerk of the Board)

2 positions/1 applicant

Karen Ho (Seat 1)

ACTION: Hearing held. Appointment of Karen Ho recommended. (See File 98-1589). Remaining appointment continued to call of the chair.

File 98-1589. Appointment of Karen Ho, succeeding Lynn Barbaree (Seat 1-must have expertise in child care), resigned, for unexpired portion of term ending August 20, 1999; recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Lead Poisoning Prevention Citizens Advisory Committee." RECOMMENDED. (See File 98-1458 for remaining appointment)

6. File 98-1487. [Appointments] Hearing to consider appointing member to the Lead Poisoning Prevention Citizens Advisory Committee succeeding Memo Tabuso (Seat 3-must represent a tenant organization), resigned, for unexpired portion of four-year term ending August 20, 1999. (Clerk of the Board)

1 position/1 applicant

Sandra Carrillo

ACTION: Hearing held. Appointment of Sandra Carrillo, succeeding Memo Tabuso (Seat 3-must represent a tenant organization), resigned, for unexpired portion of four-year term ending August 20, 1999; recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Lead Poisoning Prevention Citizens Advisory Committee." RECOMMENDED.

7. File 98-0169. [Appointments, Mental Health Board] Hearing to consider appointing members to the San Francisco Mental Health Board, succeeding Anita Burton (Seat 50113--must be family member); succeeding Lois A. Jones, (Seat 50114--must be family member) and succeeding Toye Moses, Ph.D., MPH (Seat 50115--must be health professional), terms expired January 31, 1998, for new three-year terms ending January 31, 2001. (Clerk of the Board)

3 positions/2 applicants

Toye Moses, Ph.D., MPH (Seat 15--incumbent)
Brian Peagler (Seat 14)

ACTION: Hearing held. Appointment of Toye Moses and Brian Peagler recommended (See File 98-1590). Remaining appointment continued to call of the chair.

File 98-1590. Appointment of Toye Moses, succeeding himself (Seat 15--must be health professional) and Brian Peagler, succeeding Lois Jones (Seat 14--must be family member), terms expired January 31, 1998, for new three-year terms ending January 31, 2001; recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Mental Health Board." RECOMMENDED. (See File 98-0169 for remaining appointment).

8. File 98-0756. [Appointment, Citizens Advisory Commission on Elections] Hearing to consider nominating members to the Citizens Advisory Committee on Elections for appointment by the Mayor, succeeding Peter Nardoza (Seat 30101), terms ending May 15, 1998, for new four year terms ending May 15, 2002; succeeding George Mix (Seat 30104), term expired May 16, 1997, for new four-year term ending May 16, 2001. (Clerk of the Board)

2 positions/1 applicant

Ollie Bryant, Jr. (Seat 1)

ACTION: Hearing held. Appointment of Ollie Bryant, Jr. recommended. (See File 98-1591). Remaining appointment continued to call of the chair.

File 98-1591. Appointment of Ollie Bryant, Jr. succeeding Peter Nardoza (Seat 1), term expired May 15, 1998, for new four-year term ending May 15, 2002; recommended. Resolution prepared in and reported out of committee entitled, "Nominating member to the Citizens Advisory Committee on Elections for appointment by the Mayor." RECOMMENDED. (See File 98-0756 for remaining appointment).

9. File 98-0983. [Appointments, City-Wide Alcoholism Advisory Board] Hearing to consider appointing members to the City-Wide Alcoholism Advisory Board, succeeding Heather Bostian (Seat 20602 – must have professional, research or personal interest in alcoholism), and Deborah Doyle (Seat 20605 – must have professional, research or personal interest in alcoholism), resigned, for unexpired portions of three-year terms ending July 1, 1999; succeeding Damun Gracenin, Ph.D. (Seat 20609 – must have professional, research or personal interest in alcoholism); succeeding Marilyn Schrick (Seat 20608 – must have professional, research or personal interest in alcoholism); terms expiring July 1, 1998, for new three year terms ending July 1, 2001. (Clerk of the Board)

4 Positions/3 applicants

George Velasquez
Margaret Bajan
Stuart Smith

ACTION: Hearing held. Appointment of George Velasquez and Stuart Smith recommended. (See File 98-1592). Remaining appointments continued to call of the chair.

File 98-1592. Appointment of George Velasquez, succeeding Damun Gracenin, PH.D. (Seat 9-must have professional research or personal interest in alcoholism) and Stuart Smith, succeeding Marilyn Schrick (Seat 8-must have professional research or personal interest in alcoholism), terms expired July 1, 1998, for new three-year terms ending July 1, 2001; recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the City-Wide Alcoholism Advisory Board." RECOMMENDED. (See File 98-0983 for remaining appointments)

10. File 98-0984. [Appointments, Park and Open Space Advisory Committee] Hearing to consider appointing members to the Park and Open Space Advisory Committee, succeeding Ron Miguel (Seat 23303 – must be nominee of Supervisor Medina); succeeding Ailene Herold-Coffino (seat 23311 – must be nominee of Supervisor Medina from organization list); succeeding Nan McGuire (Seat 23312 – must be nominee of Supervisor Yaki); succeeding Gaeta Bell (Seat 23309 – must be nominee of Supervisor Leno); succeeding Fannie C. She (Seat 23306 – must be nominee of Supervisor Teng); succeeding Alan Weaver (Seat 23302 – must be nominee of Supervisor Newsom from list of organizations); for terms expiring July 15, 1998, for new two year terms ending July 15, 2000.

6 positions/1 applicant

Michelle Stratton (Seat 12/Supervisor Yaki)

ACTION: Hearing held. Appointment of Michelle Stratton recommended. (See File 98-1593) Remaining appointments continued to call of the chair.

File 98-1593. Appointment of Michelle Stratton, succeeding Nan McGuire (Seat 12-must be nominee of Supervisor Yaki); term expired July 15, 1998, for new two-year term ending July 15, 2000; recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Park and Open Space Advisory Committee." RECOMMENDED. (See File 98-0984 for remaining appointments)

11. File 98-1023. [Appointments, Shopping Cart Task Force] Hearing to consider appointing members to the Shopping Cart Task Force, one member (representing Senior Disabled Community) term to expire October 28, 1998. (Clerk of the Board)

1 position/1 applicant

Edward Evans

ACTION: Hearing held. Appointment of Edward Evans (Seat 5—representing Senior Disabled Community), term to expire October 28, 1998, recommended. Resolution prepared in and reported out of committee entitled, "Appointing member to the Shopping Cart Task Force."
RECOMMENDED.

12. File 98-1024. [Appointment] Hearing to consider appointing members to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force, three seats (Seats 12-14), terms expiring June 30, 1999. (Clerk of the Board)
(Continued from 8/11/98)

3 positions/4 applicants

Michelle Tactay
Molly Ingraham
Michael Johnson
Gigi Otalvaro-Hormillosa

ACTION: Hearing held. Appointment of Michelle Tactay (Seat 12), Michael Johnson (Seat 13) and Gigi Otalvaro-Hormillosa (Seat 14) recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force".
RECOMMENDED

13. File 98-1457. [Appointment, Drug Abuse Advisory Board] Hearing to consider appointing member to the Drug Abuse Advisory Board succeeding John Entwistle, Jr. (Seat 11—must represent public at large), resigned, for term expiring October 1, 1998, for new three-year term ending October 1, 2001. (Clerk of the Board)

1 position/2 applicants

Victoria Schneider
Irene In Hee Sung

ACTION: Hearing held. Consideration continued to October 13, 1998.

14. File 98-1468. [Appointments, Bicycle Advisory Committee] Hearing to consider appointing members to the Bicycle Advisory Committee succeeding Erika Bischoff (Seat 4--must represent bicycle organization) resigned, for unexpired portion of a three-year term ending December 31, 1999; and Dylan Retler (Seat 10--must be a bicyclist at large), resigned, for unexpired portion of a three-year term ending December 31, 1998. (Clerk of the Board)

2 positions/4 applicants

Michael Burke
Daniel Seltzer
Larry Arndt
H. Leonard Pettigrew

ACTION: Hearing held. Appointment of Daniel Seltzer succeeding Erika Bischoff (Seat 4--must represent bicycle organization), resigned, for unexpired portion of a three-year term ending December 31, 1999 and Larry Arndt succeeding Dylan Retler (Seat 10--must be a bicyclist at large), resigned, for unexpired portion of a three-year term ending December 31, 1998; recommended. Resolution prepared in and reported out of committee entitled, "Appointing members to the Bicycle Advisory Committee."
RECOMMENDED.

REGULAR AGENDA

15. File 98-0806. [Sunshine Ordinance Task Force Membership] Ordinance amending Administrative Code Section 67.30 to delete the requirement for the selection of two members of the Sunshine Ordinance Task Force from names submitted by the local chapter of the Society of Professional Journalists. (Supervisor Brown)
(Continued from 7/28/98)

ACTION: Hearing held. Amendment of the Whole (as presented by Supervisor Brown) adopted. New title: Ordinance amending Administrative Code Section 67.30 to provide that one member of the Sunshine Ordinance Task Force nominated by the Society of Professional Journalists shall be a local Journalist from the Minority Press or Electronic Media.
Consideration continued to October 13, 1998.

16. File 98-1060. [Gathering Signatures in Public Right-of-Way] Hearing to consider the ability of individuals who are gathering signatures for the purpose of placing voter initiatives on upcoming ballots to gather these signatures in the public right-of-way. (Supervisor Yee)
Continued from 8/11/98; Chair may entertain a motion to continue this item to the call of the chair).

ACTION: Consideration continued to call of the chair.

17. File 98-1246. [Gift Acceptance] Resolution authorizing the San Francisco Police Department to accept the gift of a cargo and vehicle tracking system valued at approximately \$15,000. (Police Department)

ACTION: RECOMMENDED.

18. File 98-1380. [Annual Report] Ordinance amending Administrative Code by adding Section 1.56 implementing Charter Section 4.103 by requiring every board or commission to prepare an annual report as part of its annual statement of purpose under Charter Section 4.102(2). (Supervisor Kaufman)

ACTION: Hearing held. RECOMMENDED.

19. File 98-1400. [Board Off Site Meeting] Motion moving to have the Monday, November 9, 1998 meeting of the Board of Supervisors held at the John Yehall Chin Elementary School, 350 Broadway Street, multi-purpose room in the Chinatown neighborhood at 6:00 p.m. (Supervisor Yee)

ACTION: Consideration continued to October 13, 1998.

20. File 98-1480. [Settlement of Grievance] Ordinance authorizing settlement of the grievance of Andrew Stelman filed pursuant to the Memoranda of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, and the City and County of San Francisco in the amount of \$35,000. (Department of Human Resources)

ACTION. Hearing held. Amendment of the Whole (as presented by City Attorney) accepted; should have been a resolution instead of an ordinance. Same title. RECOMMENDED.

LITIGATION

The Rules Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

21. File 98-1408. [Jeremiah S. Levy, v. CCSF] Ordinance authorizing settlement of litigation of Jeremiah S. Levy against the City and County of San Francisco by payment of \$135,000. (Superior Court No. 989-825). (City Attorney)

ACTION: RECOMMENDED.

22. File 98-1409. [Crispina Luppino, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Crispina Luppino against the City and County of San Francisco by payment of \$40,000. (Superior Court No. 983-774). (City Attorney)

ACTION: RECOMMENDED.

23. File 98-1410. [Nancy Nau-Olson v. CCSF] Ordinance authorizing settlement of litigation of Nancy Nau-Olson against the City and County of San Francisco by payment of \$35,000. (Superior Court No. 988-257). (City Attorney)

ACTION: RECOMMENDED.

24. File 98-1411. [Cynthia Lewis, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Cynthia Lewis against the City and County of San Francisco by payment of \$70,000. (Superior Court No. 984-918). (City Attorney).
- ACTION: RECOMMENDED.
25. File 98-1422. [Long v. San Francisco Fire Department] Ordinance authorizing settlement of litigation entitled Long v. San Francisco Fire Department by payment of Forty-seven Thousand Dollars (\$47,000). (U.S. District Court Case No. C97-4421 (CAL). (City Attorney)
- ACTION: RECOMMENDED.
26. File 98-1421. [Tolling Agreement with Irrigation Districts] Resolution approving tolling agreement with Modesto and Turlock Irrigation Districts. (City Attorney)
- ACTION: RECOMMENDED.
27. File 98-1470. [Yee v. CCSF, and Consolidated Actions] Ordinance authorizing the City to release, discharge, defend and indemnify cross-defendants A. Ruiz Construction Company ("Ruiz"), Haley and Aldrich ("Haley"), EPC Consultants, Inc. ("EPC"), and Underground Construction Managers ("Underground"), as consideration for the approved \$7,816,666 settlement payment to the City in the consolidated actions entitled Yee v. City and County of San Francisco, and Consolidated Actions; companion measure to File 98-1237. (Superior Court No. 980-740). (City Attorney)
- ACTION: RECOMMENDED.
28. File 98-1474. [Hankston, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of William C. Hankston, Sr., et al. against the City and County of San Francisco by payment of \$110,000. (U.S. District Court No. C96-2330). (City Attorney)
- ACTION: RECOMMENDED.

The Rules Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. Now pending:

File 98-1469. Motion, Non-Profit Organizations, Public Access to Records and Minutes; Appeal Procedures; Board of Supervisors Rule Change. 30-Day Rule expires October 14, 1998.



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10/13/98
CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

October 9, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of*

SUBJECT: October 13, 1997 Rules Committee Meeting
1998

DOCUMENTS DEPT.

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Item 12 - File 98-1530

Department: Police

Item: Resolution authorizing the Chief of Police to accept a gift of a 47 foot motor-life vessel from the United States Coast Guard.

Description: The proposed resolution would authorize the Chief of Police to accept a gift of a 47 foot Textron Marine and Land System motor-life vessel (ID#MLB4203) from the United States Coast Guard.

Lt. Manuel Barretta of the Police Department advises that the vessel will be used to provide law enforcement services in San Francisco Bay. Lt. Barretta reports that the Police Department currently has one smaller vessel that is used to provide law enforcement services in San Francisco Bay and that the current vessel would be replaced by the donated vessel as provided by the U.S. Coast Guard.

Comment:

1. Sgt. Walter Kovaleff of the Police Department advises that the donated vessel was built approximately five years ago, for and at the request of the U.S. Coast Guard at an approximate cost of \$1,200,000. Sgt Kovaleff reports that the U.S. Coast Guard has used the vessel as a test vessel for the last five years. Sgt. Kovaleff estimates that the approximate current value of the donated vessel is \$600,000.

2. Sgt. Kovaleff advises that the fuel costs associated with the donated vessel would be an estimated \$0.76 per gallon of diesel fuel as compared to an estimated \$2.00 per gallon for regular boat fuel used by the current vessel. The diesel engine will also burn less fuel than the current vessel. Sgt. Kovaleff estimates that the annual maintenance costs for the upkeep of the donated vessel would be approximately the same as those incurred for the upkeep of the current vessel. In 1997, maintenance costs of \$8,600 were incurred for the current vessel.

Recommendation:

Approve the proposed resolution.

Memo to Rules Committee
October 13, 1998 Rules Committee Meeting

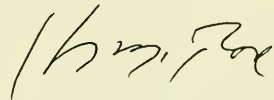
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Item 13 - File 98-1502

Department: Art Commission

Item: Ordinance amending Chapter 16, Article I, Part I of the San Francisco Municipal Code (Administrative Code) by amending Section 16.6-45 to delete organizations and add organizations.

Description: The Art Commission is presently a member of 11 organizations. The proposed ordinance would amend Administrative Code Section 16.6-45 to provide for membership in 28 organizations, including 26 new organizations, according to Ms. Nancy Gonchar of the Art Commission.

Comment: Ms. Gonchar has requested that this item be continued to the call of the Chair in order to provide details regarding the membership fee budget and the source of funds for the proposed membership fees.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Leno
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey

BOARD OF SUPERVISORS
BUDGET ANALYST

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City and County of San Francisco
Meeting Minutes
Rules Committee

Veterans Building
401 Van Ness Avenue,
Room 308
San Francisco, CA
94102-4532

Members: Supervisors Tom Ammiano, Leland Yee, Amos Brown

Clerk: Mary Red

Tuesday, October 13, 1998

10:00 AM

**Veterans Building
401 Van Ness Ave., Room 410
San Francisco, CA 94102**

Regular Meeting

Members Present: Tom Ammiano, Leland Y. Yee, Amos Brown.

Meeting Convened

Meeting Convened at 10:05 a.m.

APPOINTMENTS

981457 [Appointment]

Hearing to consider appointing member to the Drug Abuse Advisory Board. (Clerk of the Board)

1 Seat Being Considered:

Seat 11, must represent public at large, new three-year term ending October 1, 2001.

9/14/98, RECEIVED AND ASSIGNED to Rules Committee.

9/22/98, CONTINUED. Heard in committee. Speakers: Irene Sung; Victoria Schneider; Supervisor Brown.
Continued to October 13, 1998.

Heard in Committee. Speaker: Supervisor Yee. Appointment of Irene In Hee Sung to Seat 11, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing member to the Drug Abuse Advisory Board. (Clerk of the Board)

(Appointing Irene In Hee Sung to succeed John Entwistle, Jr., Seat 11, must represent public at large, new three-year term ending October 1, 2001.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

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981547 [Appointments]

Hearing to consider appointing members to the Drug Abuse Advisory Board. (Clerk of the Board)

4 Seats Being Considered:

Seat 3, must represent public at large, new three year term ending October 1, 2001;

Seat 8, must represent the public at large, new three year term ending October 1, 2001;

Seat 9, must represent public at large, new three year term ending October 1, 2001;

Seat 10, must be a provider, new three year term ending October 1, 2001.

9/17/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Matonia Harris, President, Drug Abuse Advisory Board; Georgia Creel; Kristy Kurtz. Appointment of Cedric Akbar to Seat 10; Juan Oyarzun to Seat 3; Mary Louise Robinson to Seat 8; and Victoria Schneider to Seat 9, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing members to the Drug Abuse Advisory Board. (Clerk of the Board)

(Appointing Cedric Akbar to succeed Gregory Senegal, Seat 10, must be a provider, new three year term ending October 1, 2001;

Juan Oyarzun to succeed himself, Seat 3, must represent public at large, new three year term ending October 1, 2001;

Mary Louise Robinson to succeed herself, Seat 8, must represent the public at large, new three year term ending October 1, 2001;

Victoria Schneider to succeed Cedric Akbar, Seat 9, must represent public at large, new three year term ending October 1, 2001.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981467 [Appointment]

Hearing to consider appointing member to the Lead Poisoning Prevention Citizens Advisory Committee. (Clerk of the Board)

1 Seat Being Considered:

Seat 4, must represent a tenant organization, unexpired four-year term ending August 20, 2001.

9/1/98, RECEIVED AND ASSIGNED to Rules Committee.

Continued to October 27, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

980907 [Appointments]

Hearing to consider appointing members to the Skating Advisory Committee. (Clerk of the Board)

11 Seats Being Considered:

Seats 1-3, must represent skating organizations, three year terms to be determined by lot;

Seat 4, must represent the skating industry, three year terms to be determined by lot;

Seats 5-6, must represent environmental organizations, three year terms to be determined by lot;

Seats 7-9, must represent skaters at-large, three year terms to be determined by lot;

Seat 10, must represent a local organization that has expertise with pedestrian safety issues, three year terms to be determined by lot;

Seat 11, must represent a local organization that has expertise with disability issues, three year terms to be determined by lot.

6/8/98, RECEIVED AND ASSIGNED to Rules Committee. Vacancy Notice posted 06/06/98.

Continued to October 27, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981232 [Appointments]

Hearing to consider appointing members to the Maternal Child Adolescent Health Board. (Clerk of the Board)

12 Seats Being Considered:

Seat 1, must be nominee of Supervisor Kaufman, new three year term ending August 31, 2001;

Seat 2, must be nominee of Supervisor Katz and health professional, new three year term ending August 31, 2001;

Seat 3, must be nominee of Supervisor Ammiano, new three year term ending August 31, 2001;

Seat 10, must be health professional, new three year term ending August 31, 2001;

Seat 11, must be health professional, new three year term ending August 31, 2001;

Seat 12, must be nominee of Supervisor Bierman and health professional, new three year term ending August 31, 2001;

Seat 13, must be nutritionist, new three year term ending August 31, 2001.

Seat 14, must be nominee of Supervisor Yee and educator, new three year term ending August 31, 2001;

Seat 15, must be nominee of Supervisor Brown and represent child development, new three year term ending August 31, 2001;

Seat 17, must be nominee of Supervisor Teng, new three year term ending August 31, 2001;

Seat 19, must be nominee of Supervisor Leno and pediatrician, new three year term ending August 31, 2001;

Seat 20, must be nominee of Supervisor Medina and a parent, new three year term ending August 31, 2001.

7/27/98, RECEIVED AND ASSIGNED to Rules Committee.

Continued to October 27, 1998.

CONTINUED by the following vote:

Ayes: 3 - Yee, Brown, Ammiano

980420 [Appointments]

Hearing to consider appointing members to the Advisory Council to the Commission on the Aging. (Clerk of the Board)

2 Seats Being Considered:

Seat 1, must be nominee of Supervisor Newsom, for new two year term ending March 31, 2000;

Seat 2, must be nominee of Supervisor Brown, for new two year term ending March 31, 2000.

3/23/98, RECEIVED AND ASSIGNED to Rules Committee.

9/22/98, DIVIDED. Heard in Committee. Speakers: Lincoln Yee. Appointment of Lincoln Yee, Seat 5, recommended. Remaining appointments continued to call of the chair. See File 981587.

9/22/98, CONTINUED TO CALL OF THE CHAIR.

Continued to October 27, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

REGULAR AGENDA**980806 [Sunshine Ordinance Task Force Membership]****Supervisor Brown**

Ordinance amending Administrative Code Section 67.30 to provide that one member of the Sunshine Ordinance Task Force nominated by the Society of Professional Journalists shall be a local Journalist from the Minority Press or Electronic Media.

5/18/98, RECEIVED AND ASSIGNED to Rules Committee.

6/23/98, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Continued to July 28, 1998.

7/28/98, CONTINUED. Heard in committee. Continued to September 22, 1998.

9/22/98, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee.

Speakers: Supervisor Brown; Ted Lakey; John Darmanin; Bruce Bruggman; Sue Cauthen; Fred Hobson; Angela Armstrong.

9/22/98, CONTINUED. Continued to October 13, 1998.

Heard in Committee. Speakers: Supervisor Brown; Bruce Bruggman; Ted Lakey; Sally Lehrman; Thomas Campbell-Reed. Continued to October 27, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981400 [Board Off Site Meeting]**Supervisor Yee**

Motion moving to have the Monday, November 9, 1998 meeting of the Board of Supervisors held at the John Yehall Chin Elementary School, 350 Broadway Street, multi-purpose room in the Chinatown neighborhood at 6:00 p.m.

8/17/98, ASSIGNED to Rules Committee.

8/24/98, SUBSTITUTED.

8/24/98, ASSIGNED to Rules Committee.

9/22/98, CONTINUED. Continued to October 13, 1998.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981536 [Appointment, S.F. Port Commission]

Resolution confirming reappointment of Michael Hardeman to the San Francisco Port Commission. (Mayor)

9/15/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Michael Hardeman.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981537 [Appointments, S.F. Redevelopment Agency]

Resolution confirming reappointment of Benny Yee and Leroy King to the San Francisco Redevelopment Agency. (Mayor)

9/15/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Benny Yee; Leroy King; Thomas Campbell-Reed.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981545 [Appointments, S.F. Port Commission]

Resolution confirming appointments of Brian McWilliams and Pius Lee to the San Francisco Port Commission. (Mayor)

9/16/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: None.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981530 [Gift Acceptance]

Resolution authorizing the Chief of Police to accept a gift of a forty-seven foot motor-life vessel from the United States Coast Guard. (Police Department)

9/10/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Captain Alex Fagan, Police Department; Supervisor Yee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981502 [Arts Commission Membership in Organizations]

Ordinance amending Administrative Code by amending Section 16.6-45 to delete organizations and add organizations. (Arts Commission)

(Amends Section 16.6-45)

9/14/98, RECEIVED AND ASSIGNED to Rules Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981535 [Legislative Analysts]

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 6.22 to provide that Legislative Analysts at committee meetings shall furnish verbal summaries of their written reports on legislation before Committees. (Clerk of the Board)

9/15/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Gail Feldman.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

LITIGATION

This Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

981422 [Long v. San Francisco Fire Department]

Ordinance authorizing settlement of litigation entitled Long v. San Francisco Fire Department by payment of Forty-Seven Thousand Dollars (\$47,000). (City Attorney)

(U.S. District Court Case No. C97-4421 (CAL).)

8/20/98, RECEIVED AND ASSIGNED to Rules Committee.

9/22/98, CONTINUED. Continued to October 13, 1998.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981553 [Settlement of Litigation - Mary L. LoBuglio]

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Mary L. LoBuglio by accepting consideration in the total amount of \$71,228 plus interest at the rate of 10% per annum payable in cash on or before October 30, 1998 and filing stipulation for entry of judgment upon default to secure payment. (Treasurer-Tax Collector)

(Superior Court No. 994516)

9/16/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981595 [Sue Long Soon, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Sue Long Soon against the City and County of San Francisco by payment of \$90,000. (City Attorney)

(Superior Court No. 987-398.)

9/23/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981637 [John A. Brady, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of John A. Brady, Lorraine C. Duddy, Sharon E. Samuel against the City and County of San Francisco by payment of \$55,140.25. (City Attorney)

(S.F. Superior Court Case No. 980975; California Court of Appeal Case Nos. A080127 and A083020.)

9/30/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981538 [Settlement of Claim, Chung Ming Ng]

Resolution approving the settlement of the unlitigated claim of Chung Ming Ng by payment of \$50,000.00 (City Attorney)

9/16/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

This Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

Adjournment

Adjourned at 10:50 a.m.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

981469 [Non-Profit Organizations]

Motion amending Rules of Order of the Board of Supervisors by adding Section 2.35 regarding procedures to be used for appeals to the Board of Supervisors concerning public access to records and minutes of Board of Directors of non-profit organizations. (Clerk of the Board)

9/14/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/14/1998.

981596 [False Endorsements on Campaign Literature]

Ordinance amending Chapter 16 of the Administrative Code by adding a new Article X11D, Sections 16.550 to 16.555 to prohibit false endorsements on campaign literature. (Ethics Commission)

9/23/98, RECEIVED AND ASSIGNED to Rules Committee.

9/29/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/28/1998.

Watch future agendas for matters.



390.84
3
0/27/98
CITY AND COUNTY



OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

October 23, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of*

SUBJECT: *1998* October 27, 1997 Rules Committee Meeting

Item 11 – File 98-1379

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Department: Purchaser

Item: Ordinance amending Chapter 21 of the Administrative Code by adding Section 21.55 allowing the purchaser to use requests for proposals to solicit contracts for combined commodities and services, and for general services.

Description: The proposed ordinance would amend Chapter 21 of the Administrative Code by adding Section 21.55 authorizing the Purchaser to procure (a) commodities in combination with professional or general services¹ contracts and (b) professional or general services contracts without being combined with the purchase of commodities, by utilizing a Request for Proposal (RFP) procurement procedure in lieu of using competitive bidding procedures (see Comment No. 1).

According to the Purchasing Department, the complexity of procuring commodities and professional or general

¹ According to the Purchasing Department, general services are those that involve some form of manual labor, such as janitorial, security and pest control services.

services for the use of City departments has increased in recent years for the following reasons:

- The functions and operations of City departments have become more complex.
- Technological improvements have increased the variety of commodities that are available for City procurement.
- There is an increased need for expert assistance in conducting needs analysis, assembling, installing and providing consultation and training City employees in the operation of certain equipment and systems.

Mr. Mike Ward of the Purchasing Department advises that the traditional system of awarding contracts for general services and for combined commodities and professional or general services to low bidders does not always produce the best value to the City, as non-price related factors, including the quality of personnel and the experience and references of a firm are critical to the successful performance of a contract.

Additionally, according to Mr. Ward, the option to conduct a solicitation for commodities in combination with professional or general services contracts, or for general services contracts alone, through the RFP process, will allow the Purchaser to procure commodities and services using various selection criteria. Mr. Ward advises that such procurement procedures will result in higher quality commodities and services being provided to City departments, while still allowing the Purchaser to take price into account in the selection process.

Comments:

1. According to Mr. Ward, the Purchaser already has the authority to award professional services contracts through the RFP process. Therefore, the proposed ordinance should be amended to delete the provision that authorizes the Purchaser to procure professional services contracts through the RFP process.

2. The attached memo, provided by Mr. Ward, further describes the purpose of this legislation. In this memo,

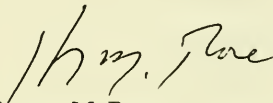
October 27, 1998 Rules Committee Meeting

Mr. Ward states that "Purchasing is unable to determine the financial impact of this new process, due to the fact that the scope of services for these type of services are very specific. The final contract pricing will be negotiated and will be competitive pricing."

Recommendations:

1. In accordance with Comment No. 1 above, amend the proposed ordinance to delete the provision that authorizes the Purchaser to conduct solicitations for professional services contracts through the RFP process.

2. Approval of the proposed ordinance, as amended, is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Leno
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey

Date: 10/22/98

Sender: Mike Ward

To: Gabriel Cabrera

cc: Edwin Lee

Priority: Normal

Subject: RFP process for combined goods/services and for general serv

Gabe-The following is in response to your telecon questions.

The major reasons Purchasing is requesting this new ordinance is that it would allow proposals for general services and for combined commodities and services to be evaluated based upon quality service factors, such as:

- . Quality of the proposer's scope of work
- . The experience of the employee's proposed staff
- . Previous experience of contractor
- . Contractors financial condition
- . Additional factors as required by the proposal

Currently, these general service type contracts (janitorial/security guard, etc.) are evaluated on a low bid basis and the user departments are lacking good quality service from this process.

Purchasing is unable to determine the financial impact of this new process, due to the fact that the scope of services for these type of services are vary specific. The final contract pricing will be negotiated and will be competitive pricing.

The draft memo to the Rules committee includes wording such as warranties, which is not applicable to service type contracts where products are not provided.

Please call me to review the wording of the memo.

Mike Ward (554-6740)



City and County of San Francisco

Meeting Minutes

Rules Committee

Veterans Building
401 Van Ness Avenue,
Room 308
San Francisco, CA
94102-4532

Members: Supervisors Tom Ammiano, Leland Yee, Amos Brown

Clerk: Mary Red

Tuesday, October 27, 1998

10:00 AM

Veterans Building
401 Van Ness Ave., Room 410
San Francisco, CA 94102

Regular Meeting

Members Present: Tom Ammiano, Leland Y. Yee, Amos Brown.

Meeting Convened

Meeting Convened at 10:04 a.m.

APPOINTMENTS

980420 [Appointments]

Hearing to consider appointing members to the Advisory Council to the Commission on the Aging. (Clerk of the Board)

2 Seats Being Considered:

Seat 1, must be nominee of Supervisor Newsom, for new two year term ending March 31, 2000;

Seat 2, must be nominee of Supervisor Brown, for new two year term ending March 31, 2000.

3/23/98, RECEIVED AND ASSIGNED to Rules Committee.

9/22/98, DIVIDED. Heard in Committee. Speakers: Lincoln Yee. Appointment of Lincoln Yee, Seat 5, recommended. See File 981587. Remaining appointments continued to call of the chair.

9/22/98, CONTINUED TO CALL OF THE CHAIR.

10/13/98, CONTINUED. Continued to October 27, 1998.

Heard in Committee. Speaker: Supervisor Ammiano. Appointment of Mario Lim to Seat 2, recommended. See File 981822. Remaining appointment continued to call of the chair.

DIVIDED.

Hearing to consider appointing member to the Advisory Council to the Commission on the Aging. (Clerk of the Board)

1 Seat Being Considered:

Seat 1, must be nominee of Supervisor Newsom, for new two year term ending March 31, 2000.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

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981822 [Appointment]

Resolution appointing member to the Advisory Council to the Commission on the Aging. (Rules Committee)

(Appointing Mario Lim to succeed John Horak, Seat 2, must be nominee of Supervisor Brown)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

980907 [Appointments]

Hearing to consider appointing members to the Skating Advisory Committee. (Clerk of the Board)

11 Seats Being Considered:

Seats 1-3, must represent skating organizations, three year terms to be determined by lot;

Seat 4, must represent the skating industry, three year terms to be determined by lot;

Seats 5-6, must represent environmental organizations, three year terms to be determined by lot;

Seats 7-9, must represent skaters at-large, three year terms to be determined by lot;

Seat 10, must represent a local organization that has expertise with pedestrian safety issues, three year terms to be determined by lot;

Seat 11, must represent a local organization that has expertise with disability issues, three year terms to be determined by lot.

6/8/98, RECEIVED AND ASSIGNED to Rules Committee. 6/6/98, Vacancy Notice posted.

10/13/98, CONTINUED. Continued to October 27, 1998.

Heard in Committee. Speakers: Supervisor Ammiano, Chris Duderstadt, Bob Planthold, Paul Pillitteri, Victoria Armigo, Grayce Regan. Continued to November 10, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

980984 [Appointments]

Hearing to consider appointing members to the Park and Open Space Advisory Committee. (Clerk of the Board)

5 Seats Being Considered:

Seat 2, must be nominee of Supervisor Newsom from list of organizations, new two year term ending July 15, 2000;

Seat 3, must be nominee of Supervisor Medina, new two year term ending July 15, 2000;

Seat 6, must be nominee of Supervisor Teng, new two year term ending July 15, 2000;

Seat 9, must be nominee of Supervisor Leno, new two year term ending July 15, 2000;

Seat 11, must be nominee of Supervisor Medina from organization list, new two year term ending July 15, 2000;

6/22/98, RECEIVED AND ASSIGNED to Rules Committee. 7/14/98, Heard in Committee. Appointments of Gaeta Bell, Kevin Fox, Ina Dearman, recommended. See File 981181. Remaining appointments continued to call of the chair.

7/28/98, Heard in Committee. Appointments of Julia Viera and Harold Supriano recommended. See File 981270. Remaining appointments continued to call of the chair.

9/22/98, DIVIDED. Heard in Committee. Speakers: Michelle Stratton. Appointment of Michelle Stratton, Seat 12, recommended. See File 98-1593. Remaining appointments continued to call of the chair.

9/22/98, CONTINUED TO CALL OF THE CHAIR.

Continued to November 10, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981232 [Appointments]

Hearing to consider appointing members to the Maternal Child Adolescent Health Board. (Clerk of the Board)

12 Seats Being Considered:

Seat 1, must be nominee of Supervisor Kaufman, new three year term ending August 31, 2001;

Seat 2, must be nominee of Supervisor Katz and health professional, new three year term ending August 31, 2001;

Seat 3, must be nominee of Supervisor Ammiano, new three year term ending August 31, 2001;

Seat 10, must be health professional, new three year term ending August 31, 2001;

Seat 11, must be health professional, new three year term ending August 31, 2001;

Seat 12, must be nominee of Supervisor Bierman and health professional, new three year term ending August 31, 2001;

Seat 13, must be nutritionist, new three year term ending August 31, 2001.

Seat 14, must be nominee of Supervisor Yee and educator, new three year term ending August 31, 2001;

Seat 15, must be nominee of Supervisor Brown and represent child development, new three year term ending August 31, 2001;

Seat 17, must be nominee of Supervisor Teng, new three year term ending August 31, 2001;

Seat 19, must be nominee of Supervisor Leno and pediatrician, new three year term ending August 31, 2001;

Seat 20, must be nominee of Supervisor Medina and a parent, new three year term ending August 31, 2001.

7/27/98, RECEIVED AND ASSIGNED to Rules Committee.

10/13/98, CONTINUED. Continued to October 27, 1998.

Heard in Committee. Speaker: Charlene Clemens. Appointment of Dr. Harry Coren to Seat 10, and Charlene Clemens to Seat 11, recommended. See File 981824. Remaining appointments continued to call of the chair.

DIVIDED.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981824 [Appointments]

Resolution appointing members to the Maternal Child Adolescent Health Board. (Rules Committee)

(Appointing Dr. Harry Coren to succeed himself, Seat 10, must be health professional, new three year term ending August 31, 2001;

Appointing Charlene Clemens to succeed herself, Seat 11, must be health professional, new three year term ending August 31, 2001.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981467 [Appointment]

Hearing to consider appointing member to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)

1 Seat Being Considered:

Seat 4, must represent a tenant organization, unexpired four-year term ending August 20, 2001.

9/1/98, RECEIVED AND ASSIGNED to Rules Committee.

10/13/98, CONTINUED. Continued to October 27, 1998.

Heard in Committee. Speaker: Tan Dieu Chow. Appointment of Tan Dieu Chow to Seat 4, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)

(Appointing Tan Dieu Chow to succeed Nikkie Ho, Seat 4, must represent a tenant organization, unexpired four-year term ending August 20, 2001.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981614 [Appointment]

Hearing to consider appointing member of the Board of Supervisors to the California State Association of Counties (CSAC) Board of Directors for 1999. (Clerk of the Board)

9/24/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Supervisor Ammiano. Appointment of Supervisor Michael Yaki recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing member of the Board of Supervisors to the California State Association of Counties (CSAC) Board of Directors for 1999. (Clerk of the Board)

(Appointing Supervisor Michael Yaki to succeed himself, Seat 1, must be a member of the Board of Supervisors, new one year term ending at the 2000 annual conference meeting of the Association.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981734 [Appointments]

Hearing to consider appointing members to the Delinquency Prevention Commission.

6 Seats Being Considered:

Seat 1, must be a youth, 18 years of age or younger, unexpired two year term ending December 31, 1998, new two year term ending December 31, 2000;

Seat 5, must have interest in/be knowledgeable of juvenile delinquency, unexpired four year term ending December 31, 1998, new four year term ending December 31, 2002;

Seat 6, must have interest in/be knowledgeable of juvenile delinquency, unexpired four year term ending December 31, 1998, new four year term ending December 31, 2002;

Seat 12, must be nominee of Supervisor Ammiano; unexpired four year term ending December 31, 2000;

Seat 14, must be nominee of Supervisor Medina; unexpired four year term ending December 31, 2000;

Seat 16, must be nominee of Supervisor Bierman; unexpired four year term ending December 31, 2000.

10/16/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Joyce Miller, Delinquency Prevention Commission, Vin Courtney, Benson Wong, Ollie Bryant, Jr., Diana Ming Chan, Joann Yee, Ernest Lira, Supervisor Yee, Supervisor Ammiano. Appointment of Ollie Bryant, Jr., Seat 5, Ernest Lira, Seat 6, Benson Wong, Seat 12 and Vin Courtney, Seat 14 recommended. See File 981838. Remaining appointments continued to November 10, 1998.

DIVIDED.

Continued to November 10, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981838 [Appointment]

Resolution appointing members to the Delinquency Prevention Commission; and making findings waiving residency requirement. (Rules Committee)

(Appointing Ollie Bryant, Jr., to succeed Melanie DewBerry, Seat 5, must have interest in/be knowledgeable of juvenile delinquency, unexpired portion of term ending December 31, 1998, new four year term ending December 31, 2002;

Appointing Ernest Lira, to succeed James Howard, Seat 6, must have interest in/be knowledgeable of juvenile delinquency, unexpired portion of term ending December 31, 1998, new four year term ending December 31, 2002;

Appointing Benson Wong, to succeed Andante Higgins, Seat 12, must be nominee of Supervisor Ammiano, unexpired portion of term ending December 31, 2000;

Appointing Vin Courtney, to succeed Eric Quezada, Seat 14, must be nominee of Supervisor Medina, unexpired portion of term ending December 31, 2000.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

REGULAR AGENDA

980806 [Sunshine Ordinance Task Force Membership]

Supervisor Brown

Ordinance amending Administrative Code Section 67.30 to provide that one member of the Sunshine Ordinance Task Force nominated by the Society of Professional Journalists shall be a local Journalist from the Minority Press or Electronic Media.

(Amends Section 67.30.)

5/18/98, RECEIVED AND ASSIGNED to Rules Committee.

6/23/98, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Continued to July 28, 1998.

7/28/98, CONTINUED. Heard in committee. Continued to September 22, 1998.

9/22/98, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee.

Speakers: Supervisor Brown; Ted Lakey; John Darmanin; Bruce Bruggman; Sue Cauthen; Fred Hobson; Angela Armstrong.

9/22/98, CONTINUED. Continued to October 13, 1998.

10/13/98, CONTINUED. Heard in Committee. Speakers: Supervisor Brown; Bruce Bruggman; Ted Lakey; Sally Lehman; Thomas Campbell-Reed. Continued to October 27, 1998.

Heard in Committee. Speakers: Bob Planthold, Bruce Bruggman. Tabled.

TABLED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981745 [Sunshine Ordinance Task Force Membership]

Supervisor Brown

Ordinance amending Administrative Code by amending Section 67.30 to add two members to the Sunshine Ordinance Task Force, one member being a journalist from the minority press or electronic media and one member being an additional member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government.

(Amends Section 67.30.)

10/19/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Bob Planthold, Bruce Bruggman. Continued to November 24, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981486 [Conflict of Interest Code]

Ordinance amending Chapter 58 of the San Francisco Administrative Code by amending various sections; to add, delete, and change titles of designated officials and employees to reflect organizational and staffing changes not previously reflected in the Code, including changes made by the City since the last biennial review of the Conflict of Interest Code; to refine the disclosure requirements applicable to some designated officials and employees; to clearly identify the filing officer for department heads, and to make nonsubstantive technical changes. (City Attorney)

(Amends Sections 58.4, 58.115, 58.125, 58.130, 58.135, 58.145, 58.150, 58.165, 58.180, 58.195, 58.202, 58.207, 58.210, 58.215, 58.220, 58.235, 58.240, 58.255, 58.260, 58.265, 58.270, 58.272, 58.280, 58.285, 58.290, 58.300, 58.310, 58.315, 58.320, 58.323, 58.325, 58.330, 58.340, 58.345, 58.350, 58.370, 58.375, 58.382, 58.383, 58.385, 58.390, and 58.600.)

9/9/98, RECEIVED AND ASSIGNED to Rules Committee.

9/23/98, ASSIGNED to Rules Committee.

9/23/98, SUBSTITUTED.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981379 [Purchaser's Solicitation Request]**Supervisor Katz**

Ordinance amending Administrative Code by adding Section 21.55 to allow the purchaser to use requests for proposals to solicit contracts for combined commodities and services, and for general services.

(Adds Section 21.55)

8/17/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/16/1998.

Heard in Committee. Speakers: Supervisor Brown, Debra Newman, Budget Analyst. Amended on page 2, lines 10 and 11, to delete the words "and professional" and the "professional". Same title.

AMENDED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Ammiano, Brown

Noes: 1 - Yee

LITIGATION

This Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

981649 [Settlement of Claim, Abram Katz]

Resolution approving the settlement of the unlitigated claim of Abram Katz by payment of \$30,000. (City Attorney)

9/30/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED. by the following vote:

Ayes: 2 - Ammiano, Brown

Absent: 1 - Yee

981650 [Theodore Philibosian v. CCSF]

Ordinance authorizing settlement of litigation of Theodore Philibosian against the City and County of San Francisco by payment of \$30,000. (City Attorney)

(S.F. Superior Court No. 985-604.)

9/30/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Brown

Absent: 1 - Yee

981690 [Unlitigated Claim, GE Medical Systems, Inc./PDC Facilities, Inc.]

Resolution approving settlement of unlitigated claim of GE Medical Systems, Inc. and PDC Facilities, Inc. by payment of \$362,186. (City Attorney)

10/7/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Brown

Absent: 1 - Yee

This Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

Adjournment

Adjourned at 11:13 a.m.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

981596 [False Endorsements on Campaign Literature]

Ordinance amending Chapter 16 of the Administrative Code by adding a new Article X11D, Sections 16.550 to 16.555 to prohibit false endorsements on campaign literature. (Ethics Commission)

(Adds Sections 16.550 to 16.555.)

9/23/98, RECEIVED AND ASSIGNED to Rules Committee.

9/29/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/28/1998.

Watch future agendas for matters.

70.84
2
10/98



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: Supervisors Tom Ammiano, Leland Yee, Amos Brown

Clerk: Mary Red

Veterans Building
401 Van Ness Avenue,
Room 308
San Francisco, CA
94102-4532

Tuesday, November 10, 1998

10:00 AM

Veterans Building
401 Van Ness Ave., Room 410
San Francisco, CA 94102

Regular Meeting

Members Present: Tom Ammiano, Leland Y. Yee, Amos Brown.

Meeting Convened

Meeting Convened at 10:05 a.m.

APPOINTMENTS

980169

[Appointment]

Hearing to consider appointing member to the San Francisco Mental Health Board. (Rules Committee)

1 Seat Being Considered:

Seat 13, must be family member, new three-year term ending January 31, 2001.

2/2/98, RECEIVED AND ASSIGNED to Rules Committee.

9/22/98, DIVIDED. Heard in Committee. Speakers: Toye Moses; Mary Sue Planck. Appointment of Toye Moses, Seat 15, and Brian Peagler, Seat 14, recommended. See File 98-1590. Remaining appointment continued to call of the chair.

9/22/98, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speakers: Renee Deger, Mary Sue Planck. Appointment of Renee Deger to Seat 13, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing member to the San Francisco Mental Health Board. (Rules Committee)

(Appointing Renee Deger to succeed Anita Burton, Seat 13, must be family member, new three-year term ending January 31, 2001.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

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980907 [Appointments]

Hearing to consider appointing members to the Skating Advisory Committee. (Clerk of the Board)

11 Seats Being Considered:

Seats 1-3, must represent skating organizations, three year terms to be determined by lot;

Seat 4, must represent the skating industry, three year terms to be determined by lot;

Seats 5-6, must represent environmental organizations, three year terms to be determined by lot;

Seats 7-9, must represent skaters at-large, three year terms to be determined by lot;

Seat 10, must represent a local organization that has expertise with pedestrian safety issues, three year terms to be determined by lot;

Seat 11, must represent a local organization that has expertise with disability issues, three year terms to be determined by lot.

6/8/98, RECEIVED AND ASSIGNED to Rules Committee. 6/6/98, Vacancy Notice posted.

10/13/98, CONTINUED. Continued to October 27, 1998.

10/27/98, CONTINUED. Heard in Committee. Speakers: Supervisor Ammiano, Chris Duderstadt, Bob Planthold, Paul Pillitteri, Victoria Armigo, Grayce Regan. Continued to November 10, 1998.

Heard in Committee. Speakers: Zack Phillips, Steve Rosen, Supervisor Brown, Brian Sarrazin, Kirk Ireland, Robert Rodriguez, David Miles. Appointment of Paul Pilleteri, Seat 1; David Miles, Seat 2; Zack Phillips, Seat 3; Chris Duderstadt, Seat 7; Victoria Armigo, Seat 8; Robert Rodriguez, Seat 9; Bob Planthold, Seat 10; Grayce Regan, Seat 11, recommended. See File 981912. Remaining three appointments continued to November 24, 1998.

DIVIDED.

Continued to November 24, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981912 [Appointments]

Resolution appointing members to the Skating Advisory Committee. (Rules Committee)

(Appointing Paul Pilleteri, Seat 1, must represent skating organizations, three year terms to be determined by lot;

David Miles, Seat 2, must represent skating organizations, three year terms to be determined by lot;

Zack Phillips, Seat 3, must represent skating organizations, three year terms to be determined by lot;

Chris Duderstadt, Seat 7, must represent skaters at-large, three year terms to be determined by lot;

Victoria Armigo, Seat 8, must represent skaters at-large, three year terms to be determined by lot;

Robert Rodriguez, Seat 9, must represent skaters at-large, three year terms to be determined by lot;

Bob Planthold, Seat 10, must represent a local organization that has expertise with pedestrian safety issues, three year terms to be determined by lot;

Grayce Regan, Seat 11, must represent a local organization that has expertise with disability issues, three year terms to be determined by lot.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

980983 [Appointments]

Hearing to consider appointing members to the City-Wide Alcoholism Advisory Board. (Clerk of the Board)

2 Seats Being Considered:

Seat 2, must have professional, research, or personal interest in alcoholism, unexpired term ending July 1, 1999;

Seat 5, must have professional, research, or personal interest in alcoholism, unexpired term ending July 1, 1999;

6/22/98, RECEIVED AND ASSIGNED to Rules Committee.

8/11/98, DIVIDED. Heard in Committee. Speakers: E. Lucille Ramstetter, James Matter, Leon Winston. Appointment of E. Lucille Ramstetter, James Matter, Leon Winston. (See File 981357). Remaining appointments continued to call of the chair.

8/11/98, CONTINUED TO CALL OF THE CHAIR.

8/31/98, COMBINED. Combined with File 92-97-49.

9/22/98, DIVIDED. Heard in Committee. Speakers: George Velasquez; Stuart Smith. Appointment of George Velasquez, Seat 9, and Stuart Smith, Seat 8, recommended. See File 981592. Remaining appointments continued to call of the chair.

9/22/98, CONTINUED TO CALL OF THE CHAIR.

Continued to November 24, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

980984 [Appointments]

Hearing to consider appointing members to the Park and Open Space Advisory Committee. (Clerk of the Board)

5 Seats Being Considered:

Seat 2, must be nominee of Supervisor Newsom from list of organizations, new two year term ending July 15, 2000;

Seat 3, must be nominee of Supervisor Medina, new two year term ending July 15, 2000;

Seat 6, must be nominee of Supervisor Teng, new two year term ending July 15, 2000;

Seat 9, must be nominee of Supervisor Leno, new two year term ending July 15, 2000;

Seat 11, must be nominee of Supervisor Medina from organization list, new two year term ending July 15, 2000;

6/22/98, RECEIVED AND ASSIGNED to Rules Committee. 7/14/98, Heard in Committee. Appointments of Gaeta Bell, Kevin Fox, Ina Dearman, recommended. See File 981181. Remaining appointments continued to call of the chair.

7/28/98, Heard in Committee. Appointments of Julia Viera and Harold Supriano recommended. See File 981270. Remaining appointments continued to call of the chair.

9/22/98, DIVIDED. Heard in Committee. Speakers: Michelle Stratton. Appointment of Michelle Stratton, Seat 12, recommended. See File 98-1593. Remaining appointments continued to call of the chair.

9/22/98, CONTINUED TO CALL OF THE CHAIR.

10/27/98, CONTINUED. Continued to November 10, 1998.

Heard in Committee. Speakers: Douglas Wildman, Alan Weaver. Appointment of Douglas Wildman, Seat 3, Alan Weaver, Seat 2, recommended. See File 981914. Remaining three appointments continued to call of the chair.

DIVIDED.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981914 [Appointments]

Resolution appointing members to the Park and Open Space Advisory Committee. (Rules Committee)

(Appointing Douglas Wildman to succeed Ron Miguel, Seat 3, must be nominee of Supervisor Medina, new two year term ending July 15, 2000;

Appointing Alan Weaver to succeed himself, Seat 2, must be nominee of Supervisor Newsom, new two year term ending July 15, 2000.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981734 [Appointments]

Hearing to consider appointing members to the Delinquency Prevention Commission. (Rules Committee)

2 Seats Being Considered:

Seat 1, must be a youth, 18 years of age or younger, unexpired two year term ending December 31, 1998, new two year term ending December 31, 2000;

Seat 16, must be nominee of Supervisor Bierman; unexpired four year term ending December 31, 2000.

10/16/98, RECEIVED AND ASSIGNED to Rules Committee.

10/27/98, DIVIDED. Heard in Committee. Speakers: Joyce Miller, Delinquency Prevention Commission, Vin Courtney, Benson Wong, Ollie Bryant, Jr., Diana Ming Chan, Joann Yee, Ernest Lira, Supervisor Yee, Supervisor Ammiano. Appointment of Ollie Bryant, Jr., Seat 5, Ernest Lira, Seat 6, Benson Wong, Seat 12 and Vin Courtney, Seat 14 recommended. See File 981838. Remaining appointments continued to November 10, 1998.

10/27/98, CONTINUED. Continued to November 10, 1998.

Heard in Committee. Speakers: Joyce Miller, Delinquency Prevention Commission. Appointment of Andrew Lai to Seat 1, and Diana Ming Chan to Seat 16, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing members to the Delinquency Prevention Commission. (Rules Committee)

(Appointing Andrew Lai to succeed Keysha McFarlin, Seat 1, must be a youth, 18 years of age or younger, unexpired two year term ending December 31, 1998, new two year term ending December 31, 2000;

Appointing Diana Ming Chan to succeed Sharon Hoff, Seat 16, must be nominee of Supervisor Bierman; unexpired four year term ending December 31, 2000.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981735 [Appointment]

Hearing to consider appointing member to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Task Force. (Clerk of the Board)

1 Seat Being Considered:

Seat 13/voting member, unexpired one year term ending June 30, 1999.

10/16/98, RECEIVED AND ASSIGNED to Rules Committee.

Continued to November 24, 1998.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981232 [Appointments]

Hearing to consider appointing members to the Maternal Child Adolescent Health Board. (Clerk of the Board)

10 Seats Being Considered:

Seat 1, must be nominee of Supervisor Kaufman, new three year term ending August 31, 2001;

Seat 2, must be nominee of Supervisor Katz and health professional, new three year term ending August 31, 2001;

Seat 3, must be nominee of Supervisor Ammiano, new three year term ending August 31, 2001;

Seat 12, must be nominee of Supervisor Bierman and health professional, new three year term ending August 31, 2001;

Seat 13, must be nutritionist, new three year term ending August 31, 2001.

Seat 14, must be nominee of Supervisor Yee and educator, new three year term ending August 31, 2001;

Seat 15, must be nominee of Supervisor Brown and represent child development, new three year term ending August 31, 2001;

Seat 17, must be nominee of Supervisor Teng, new three year term ending August 31, 2001;

Seat 19, must be nominee of Supervisor Leno and pediatrician, new three year term ending August 31, 2001;

Seat 20, must be nominee of Supervisor Medina and a parent, new three year term ending August 31, 2001.

7/27/98, RECEIVED AND ASSIGNED to Rules Committee.

10/13/98, CONTINUED. Continued to October 27, 1998.

10/27/98, DIVIDED. Heard in Committee. Speaker: Charlene Clemens. Appointment of Dr. Harry Coren to Seat 10, and Charlene Clemons to Seat 11, recommended. See File 981824. Remaining appointments continued to call of the chair.

10/27/98, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speakers: Sue Cauthen, Supervisor Ammiano. Appointment of Sue Cauthen to Seat 3, recommended. See File 981916. Remaining nine appointments continued to call of the chair.

DIVIDED.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981916 [Appointment]

Resolution appointing member to the Maternal Child Adolescent Health Board. (Rules Committee)

(Appointment of Sue Cauthen to succeed Susan Obata, M.D., Seat 3, must be nominee of Supervisor Ammiano, new three year term ending August 31, 2001.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

970027 [Appointments]

Hearing to consider appointing members to the Hazardous Materials Advisory Committee. (Clerk of the Board)

4 Seats Being Considered:

Seat 5, must be epidemiologist, new four year term ending July 1, 2000;

Seat 7, must represent neighborhood organization, new four year term ending July 1, 2001;

Seat 11, must represent labor, new four year term ending July 1, 2001;

Seat 18, Public Utilities Commission, new four year term ending July 1, 2000.

6/2/97, RECEIVED AND ASSIGNED to Rules Committee. 12/9/97, Heard in Committee. Appointment of Ross A. Tibbitts to Seat 2, recommended. (See File 92-97-25.2.). Remaining appointments continued to the call of the Chair.

9/2/98, COMBINED. Combined with File 92-96-32.

Heard in Committee. Speakers: Jennifer Mann, Supervisor Ammiano. Appointment of Jennifer Mann to Seat 5, recommended. See File 981918. Remaining three appointments continued to call of the chair.

DIVIDED.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981918 [Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee; and making findings waiving residency requirement. (Rules Committee)

(Appointing Jennifer Mann to Seat 5, must be epidemiologist, term beginning July 1, 1996, ending July 1, 2000.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

LITIGATION

This Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

981825 [Donna and Kenneth Ballan v. CCSF]

Ordinance authorizing settlement of litigation of Donna and Kenneth Ballan against the City and County of San Francisco by payment of \$92,500. (City Attorney)

(S.F. Superior Court No. 981-417.)

2/28/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981826 [Siu Shek Au Yeung, et al. v. CCSF]

Ordinance authorizing settlement of litigation of Siu Shek Au Yeung against the City and County of San Francisco by payment of \$120,000. (City Attorney)

(S.F. Superior Court No. 989-501.)

10/28/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981827 [Lois Fenske v. CCSF]

Ordinance authorizing settlement of litigation of Lois Fenske against the City and County of San Francisco by payment of \$65,000. (City Attorney)

(S.F. Superior Court No. 987-514.)

10/28/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

This Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

Adjournment

Adjourned at 10:50 a.m.



City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Tom Ammiano, Leland Yee, Amos Brown

Clerk: Mary Red

Veterans Building
401 Van Ness Avenue,
Room 308
San Francisco, CA
94102-4532

Tuesday, November 24, 1998

10:00 AM

Veterans Building
401 Van Ness Ave., Room 410
San Francisco, CA 94102

Regular Meeting

Members Present: Tom Ammiano, Leland Y. Yee.

Members Absent: Amos Brown.

Meeting Convened

Meeting convened at 10:01 a.m.

APPOINTMENTS

980907 [Appointments]

Hearing to consider appointing members to the Skating Advisory Committee. (Clerk of the Board)

3 Seats Being Considered:

Seat 4, must represent the skating industry, three year terms to be determined by lot;

Seats 5-6, must represent environmental organizations, three year terms to be determined by lot.

6/8/98, RECEIVED AND ASSIGNED to Rules Committee. 6/6/98, Vacancy Notice posted.

10/13/98, CONTINUED. Continued to October 27, 1998.

10/27/98, CONTINUED. Heard in Committee. Speakers: Supervisor Ammiano, Chris Duderstadt, Bob Planthold, Paul Pillitteri, Victoria Armigo, Grayce Regan. Continued to November 10, 1998.

11/10/98, DIVIDED. Heard in Committee. Speakers: Zack Phillips, Steve Rosen, Supervisor Brown, Brian Sarrazin, Kirk Ireland, Robert Rodriguez, David Miles. Appointment of Paul Pillitteri, Seat 1; David Miles, Seat 2; Zack Phillips, Seat 3; Chris Duderstadt, Seat 7; Victoria Armigo, Seat 8; Robert Rodriguez, Seat 9; Bob Planthold, Seat 10; Grayce Regan, Seat 11, recommended. See File 981912. Remaining three appointments continued to November 24, 1998.

11/10/98, CONTINUED. Continued to November 24, 1998.

Heard in Committee. Speakers: Alex Lantsberg, Arthur Howard. Appointment of Alex Lantsberg, Seat 5, and Arthur Howard, Seat 4, recommended. See File 982006. Remaining appointment continued to December 8, 1998.

DIVIDED.

Hearing to consider appointing member to the Skating Advisory Committee. (Clerk of the Board)

1 Seat Being Considered:

Seat 6, must represent environmental organizations, three year terms to be determined by lot.

Continued to December 8, 1998.

CONTINUED by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

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982006 [Appointments]

Resolution appointing members to the Skating Advisory Committee. (Rules Committee)

(Appointing Alex Lantsberg, Seat 5, must represent environmental organizations, three year terms to be determined by lot;

Appointing Arthur Howard, Seat 4, must represent the skating industry, three year terms to be determined by lot.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

980983 [Appointments]

Hearing to consider appointing members to the City-Wide Alcoholism Advisory Board. (Clerk of the Board)

2 Seats Being Considered:

Seat 2, must have professional, research, or personal interest in alcoholism, unexpired term ending July 1, 1999;

Seat 5, must have professional, research, or personal interest in alcoholism, unexpired term ending July 1, 1999;

6/22/98, RECEIVED AND ASSIGNED to Rules Committee.

8/11/98, DIVIDED. Heard in Committee. Speakers: E. Lucille Ramstetter, James Matter, Leon Winston. Appointment of E. Lucille Ramstetter, James Matter, Leon Winston. (See File 981357). Remaining appointments continued to call of the chair.

8/11/98, CONTINUED TO CALL OF THE CHAIR.

8/31/98, COMBINED. Combined with File 92-97-49.

9/22/98, DIVIDED. Heard in Committee. Speakers: George Velasquez; Stuart Smith. Appointment of George Velasquez, Seat 9, and Stuart Smith, Seat 8, recommended. See File 981592. Remaining appointments continued to call of the chair.

9/22/98, CONTINUED TO CALL OF THE CHAIR.

11/10/98, CONTINUED. Continued to November 24, 1998.

Heard in Committee. Speaker: Paula Fiscal. Appointment of Paula Fiscal, Seat 2, recommended. See File 982007. Remaining appointment continued to call of the chair.

DIVIDED.

Hearing to consider appointing member to the City-Wide Alcoholism Advisory Board. (Clerk of the Board)

1 Seat Being Considered:

Seat 5, must have professional, research, or personal interest in alcoholism, unexpired portion of three year term ending July 1, 1999.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

982007 [Appointment]

Resolution appointing member to the City-Wide Alcoholism Advisory Board. (Rules Committee)

(Appointing Paula Fiscal to succeed Heather Bostian, Seat 2, must have professional, research, or personal interest in alcoholism, unexpired portion of three year term ending July 1, 1999.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981735 [Appointment]

Hearing to consider appointing member to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Task Force. (Clerk of the Board)

1 Seat Being Considered:

Seat 13/voting member, unexpired one year term ending June 30, 1999.

10/16/98, RECEIVED AND ASSIGNED to Rules Committee.

11/10/98, CONTINUED. Continued to November 24, 1998.

Heard in Committee. Speakers: Lauren Michaels, Roy Butler. Appointment of Lauren Michaels, Seat 13, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing member to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Task Force. (Clerk of the Board)

(Appointing Lauren Michaels to succeed Michael Johnson, Seat 13/voting member, unexpired portion of one year term ending June 30, 1999.)

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981885 [Appointment]

Hearing to consider appointing a member to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force. (Clerk of the Board)

1 Seat Being Considered:

Seat 12, Voting member, unexpired portion of term ending June 30, 1999.

11/5/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Lauren Michaels, Roy Butler. Appointment of Roy Butler, Seat 12, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing a member to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force, and making findings waiving residency requirement. (Clerk of the Board)

(Appointing Roy Butler to succeed Michelle Tactay, Seat 12/voting member, unexpired portion of one year term ending June 30, 1999.)

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

980170 [Appointments]

Hearing to consider appointing members to the Veterans Affairs Commission. (Clerk of the Board)

2 Seats Being Considered:

Seat 5, must be a woman veteran, new four year term ending January 31, 2002;

Seat 10, must be an at-large appointment, new four year term ending January 31, 2002.

2/2/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Edwin Wilkerson, Gary Harmon, Steve Johnson. Appointment of Edwin Wilkerson, Seat 10, recommended. See File 982008. Remaining appointment continued to call of the chair.

DIVIDED.

Hearing to consider appointing member to the Veterans Affairs Commission. (Clerk of the Board)

1 Seat Being Considered:

Seat 5, must be a woman veteran, new four year term ending January 31, 2002.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

982008 [Appointment]

Resolution appointing member to the Veterans Affairs Commission. (Rules Committee)

(Appointing Edwin Wilkerson to succeed himself, Seat 10, must be an at-large appointment, new four year term ending January 31, 2002.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981546 [Appointments]

Hearing to consider appointing members to the Lead Poisoning Prevention Citizens Advisory Committee. (Clerk of the Board)

2 Seats Being Considered:

Seat 2, must have expertise in childcare, unexpired portion of four year term ending August 20, 1999;

Seat 20, must have expertise in neighborhood concerns, unexpired portion of four year term ending August 20, 1999.

9/17/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Basheem Allah. Appointment of Basheem Allah to Seat 20, recommended. See File 982009. Remaining appointment continued to call of the chair.

DIVIDED.

Hearing to consider appointing member to the Lead Poisoning Prevention Citizens Advisory Committee. (Clerk of the Board)

1 Seat Being Considered:

Seat 2, must have expertise in childcare, unexpired portion of four year term ending August 20, 1999.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

982009 [Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee. (Rules Committee)

(Appointing Basheem Allah to succeed Lothell Holloway, Sr., Seat 20, must have expertise in neighborhood concerns, unexpired portion of four year term ending August 20, 1999.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981732 [Appointment]

Hearing to consider appointing member to the Drug Abuse Advisory Board.

1 Seat Being Considered:

Seat 14, must represent the public at large, unexpired three year term ending October 1, 2000.

10/16/98, RECEIVED AND ASSIGNED to Rules Committee.

Continued to December 8, 1998.

CONTINUED by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

REGULAR AGENDA

981745 [Sunshine Ordinance Task Force Membership]

Supervisor Brown

Ordinance amending Administrative Code by amending Section 67.30 to add two members to the Sunshine Ordinance Task Force, one member being a journalist from the minority press or electronic media and one member being an additional member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government.

(Amends Section 67.30.)

10/19/98, RECEIVED AND ASSIGNED to Rules Committee.

10/27/98, CONTINUED. Heard in Committee. Speakers: Bob Planthold, Bruce Bruggman. Continued to November 24, 1998.

Continued to December 8, 1998.

CONTINUED by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981596 [False Endorsements on Campaign Literature]

Ordinance amending Chapter 16 of the Administrative Code by adding a new Article X11D, Sections 16.550 to 16.555 to prohibit false endorsements on campaign literature. (Ethics Commission)

(Adds Sections 16.550 to 16.555.)

9/23/98, RECEIVED AND ASSIGNED to Rules Committee.

9/29/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/28/1998.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981564 [Naming New Committee Room at City Hall]

Supervisors Ammiano, Bierman

Resolution designating one of the new committee room at City Hall to be named in honor of Mr. John Taylor, retired Clerk of the Board.

9/22/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Ammiano, Tony Irons.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

LITIGATION

This Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

981910 [William Fazio, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of William Fazio against the City and County of San Francisco by payment of \$45,000. (City Attorney)

(U.S. District Court No. C95-1995 WHO.)

11/10/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

981911 [Gloria Francesca Dodd v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Gloria Francesca Dodd against the City and County of San Francisco by payment of \$175,000. (City Attorney)

(U.S. District Court No. C96-3633 VRW.)

11/10/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 2 - Ammiano, Yee

Absent: 1 - Brown

This Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

Adjournment

Meeting adjourned at 10:40 a.m.

LEGISLATION UNDER THE 30-DAY RULE

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

981778 [Registration of Lobbyists]

Ordinance amending Administrative Code by amending Sections 156.520 through 16.534 to: add legislative findings; clarify definitions and add new definitions; consolidate the definition of "Lobbyist" with the thresholds for qualifying as lobbyist and the exemptions; increase the qualification threshold for contract lobbyists from \$1,000 per month to \$3,200 per quarter; increase the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$3,100 per quarter; clarify and add new exemptions; clarify that once a person qualifies as a "Lobbyist" the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination; clarify the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports; provide that all lobbyists re-register on January 15 each year; require lobbyists to disclose payments received from City officer in exchange for campaign consulting services; limit the aggregate value of gifts from lobbyists to each City officer, within three months of a lobbyist contract, to \$50; and require lobbyists to notify City officers of the value of gifts conferred. (Ethics Commission)

(Amends Sections 16.520 through 16.534.)

10/21/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/1998.

Watch future agendas for matters.

F
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3
4/6/98

CITY AND COUNTY



Public Library, Gov't Info. Ctr., 5th Flr
Attn: Susan Hom

OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 MARKET STREET, SUITE 1025

SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

December 4, 1998

TO: Rules Committee

FROM: Budget Analyst *Recommendations for meeting of*

SUBJECT: December 8, 1998 Rules Committee Meeting

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Item 13 - File 98-1263

1. This is a hearing to consider the 1997-98 Civil Grand Jury Report on Overtime. The Attachment to this report provides a summary of the Grand Jury's findings and recommendations concerning overtime. The Grand Jury's findings and recommendations are organized under the following sections: Procedures; Department of Human Resources; the Budget Process; Disability and Workers' Compensation Issues; Memorandums of Understanding (MOUs); Municipal Railway; Fire Department; Police Department; Community Health Network (CHN); San Francisco International Airport; Recreation and Park Department; and, Public Utilities Commission (PUC) - Water Department.

2. Administrative Code Section 18.13 mandates City departments that meet certain overtime spending thresholds to report biannually to the Board of Supervisors, with copies to the Budget Analyst. Such reports are to be submitted on January 5th and May 1st of each Fiscal Year. This reporting requirement was created in November, 1997 when Administrative Code Section 18.13 was amended by the Board of Supervisors. One month after receipt of the overtime reports, the Budget Analyst is required to prepare a report to the Board of Supervisors and to the Finance Committee by February 5th and June 1st, respectively, each year with an assessment of the departmental reports and the status of City overtime expenditures as a whole.

3. The 1997-98 Grand Jury's Overtime report contained a finding and recommendation concerning the requirements of Administrative Code Section 18.13. Specifically, the Grand Jury found that:

- Many departments are not complying with the reporting requirements of Administrative Code Section 18.13.
- Many departments maintain they were not aware of the existence of the Code Section.
- The Budget Analyst does not monitor or demand compliance with the Code Section.
- The Board of Supervisors does not monitor compliance with Code Section 18.13.
- The Overtime report submitted to the CGJ* by the Office of the Controller showed that thirty (30) departments were required to file the overtime report specified in Code Section 18.13. The Clerk of the Board of Supervisors and the Office of the Budget Analyst have confirmed to the CGJ that as of June 10, 1998, only one department has filed its required report which was due on May 1.
- There is no provision in the Code Section for enforcement of the reporting requirement.

** County Grand Jury*

The Grand Jury's overtime report also included the following recommendations concerning Administrative Code Section 18.13:

- The Budget Analyst and the Board of Supervisors should inform all covered departments and agencies of the existence and requirements of Administrative Code Section 18.13.
- The Budget Analyst and the Board of Supervisors should monitor compliance with Code Section 18.13. This should begin immediately.
- The Budget Analyst and Board of Supervisors should require all presently delinquent reports to be submitted within 45 days of notification of the requirement to report.
- The Board of Supervisors should consider methods for enforcement of the reporting requirements.

4. On March 13, 1998, prior to the issuance of the 1997-98 Grand Jury's report on overtime, the Budget Analyst submitted a memorandum to the Board of Supervisors on Current Reporting Requirements Concerning Overtime Spending. The Budget Analyst reported that only one City department (the Department of

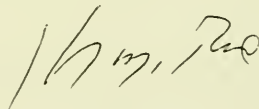
Public Works) had complied with the provisions of Administrative Code Section 18.13. The Budget Analyst suggested that letters should be sent to the 33 City departments that are required to report to the Board of Supervisors under Administrative Code Section 18.13 to inform them of their obligation.

5. During Fiscal Year 1997-98, the Board of Supervisors Finance Committee conducted several hearings concerning overtime spending by the Fire Department (File 101-97-24). The last such hearing was conducted at the Finance Committee Meeting of April 29, 1998. Also, at the Finance Committee Meeting of April 29, 1998, a hearing was held concerning overtime spending by the Police Department, the Sheriff's Department and the Fire Department (File 98-347).

Comments:

The Budget Analyst notes that Administrative Code Section 18.13 does not contain specific provisions that the Budget Analyst "demand compliance" (as the Grand Jury has recommended) or otherwise enforce the requirements of Section 18.13.

The Grand Jury finding that the Budget Analyst does not monitor compliance with Administrative Code Section 18.13 is in error. In fact, as noted above, the Budget Analyst specifically reported to the Board of Supervisors that only one department had submitted its overtime report on March 13, 1998.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Leno
Supervisor Medina
Supervisor Newsom
Supervisor Teng
Supervisor Yaki

Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey

PROCEDURES

FINDINGS

- Many departments are not complying with the reporting requirements of Administrative Code Section 18.13.
- Many departments maintain they were not aware of the existence of the Code Section.
- The Budget Analyst does not monitor or demand compliance with the Code Section.
- The Board of Supervisors does not monitor compliance with Code Section 18.13.
- The Overtime report submitted to the CGJ by the Office of the Controller showed that thirty (30) departments were required to file the overtime report specified in Code Section 18.13. The Clerk of the Board of Supervisors and the Office of the Budget Analyst have confirmed to the CGJ that as of June 10, 1998, only one department has filed its required report which was due on May 1.
- There is no provision in the Code Section for enforcement of the reporting requirement.

RECOMMENDATIONS

1. The Budget Analyst and the Board of Supervisors should inform all covered departments and agencies of the existence and requirements of Administrative Code Section 18.13.
2. The Budget Analyst and the Board of Supervisors should monitor compliance with Code Section 18.13. This should begin immediately.
3. The Budget Analyst and Board of Supervisors should require all presently delinquent reports to be submitted within 45 days of notification of the requirement to report.
4. The Board of Supervisors should consider methods for enforcement of the reporting requirements.

DEPARTMENT OF HUMAN RESOURCES

FINDINGS

- The Department of Human Resources is clearly understaffed and is therefore not able to fulfill its objectives and mandates.
- Satellite personnel departments exist in departments such as the Municipal Railway and are mandated to facilitate and accomplish departmental hiring. These satellite departments are also understaffed and may have inexperienced personnel.
- The hiring process required for all City employees, whether for a so-called provisional hire or for a Civil Service hire, is particularly cumbersome, duplicative and repetitive. (See APPENDIX G for outlines of mandated hiring procedures)
- Hiring is even more difficult because current lists of eligible candidates are not available for numerous City job classifications. Testing to determine eligible candidates and create official lists does not occur on a regular basis. As a result, departments are forced to resort to provisional hiring rather than permanent hiring. The provisional hire attrition rate is higher than the Civil Service hire attrition rate and overtime is consequently higher.
- There is an excessive number of Civil Service employee categories.

RECOMMENDATIONS

5. The Mayor, Board of Supervisors and the Director of Human Resources should review staffing requirements for the Department of Human Resources and adjust accordingly to reflect the actual number of personnel needed to accomplish the objectives and mandates of the department.
6. The DHR department budget should be revised to appropriate adequate funds to hire and train any additional personnel required.
7. The Human Resources department should implement an aggressive hiring plan to achieve the realistic personnel requirements of the Department of Human Resources within a reasonable period of time.
8. The Department of Human Resources should review the staffing requirements of satellite personnel departments and adjust, fund and train accordingly.

9. The Department of Human Resources should be mandated to conduct employment testing at regular intervals and to maintain accurate, current lists of eligible candidates for all categories of City and County employees. They should be adequately funded to accomplish this mandate.
10. The Department of Human Resources should work together with the Civil Service Commission to streamline the Civil Service hiring process through elimination of excessive numbers of civil service employee categories.
11. The Department of Human Resources should complete its process of automation, as quickly as possible. The DHR should also have adequate funding to accomplish this necessary automation.

THE BUDGET PROCESS

FINDINGS

- Underestimating overtime budget requirements is not in the best interest of fiscal responsibility. The result is a 'balanced' budget that is, in fact, not balanced. It is a budget where all parties are aware that budget revisions and supplemental appropriations will be required.
- The "salary savings" technique contributes to unrealistic budgeting appropriations. It contributes to understaffing, requires the juggling of funds from various accounts to overtime accounts and results in inefficient operations within the subject departments where it is mandated.
- The budget review and oversight process is too compressed. The Budget Analyst is given too little time to allow for adequate review prior to the start of Finance Committee hearings.
 - Much of the budget process is concentrated in the Office of the Mayor. Formerly, individual departments drafted budgets, based on historical precedent, and incorporated anticipated future needs. Proposed budgets were then presented to the office of the Mayor for review and revision. Today, it appears the office of the Mayor informally controls individual departmental budget requests.
 - Departments have been advised by the Mayor's office they should not formally submit to the Controller a budget that has not been agreed to by the Mayor's office prior to its submission.
 - Two weeks is far too short a time to allow for adequate review and analysis of the budget by the Budget Analyst. The Finance Committee and the Board of Supervisors are therefore put in the position of approving a budget without adequate time or information from its own watchdog.

RECOMMENDATIONS

12. The Mayor and department heads should budget base salaries and overtime realistically, based on historical precedent, so that every annual approved budget reflects a true and accurate fiscal picture for the City and County.
13. The Mayor, Board of Supervisors and department heads should reduce the emphasis on "salary savings" in the budgeting process, and work with individual departments to achieve optimum staffing levels utilizing adequate base salary appropriations.
14. The Mayor and Board of Supervisors should require that the proposed budget be presented to the Budget Analyst for analysis and review at least forty-five days prior to the Finance Committee deliberations.
15. The Board of Supervisors should be required to pass an adequately funded budget that reflects the realities of expected expenditures in the City and County.
16. The Mayor and Board of Supervisors should return the budget process to individual departments and require department heads to annually submit a realistic budget request.
17. The Mayor and the Board of Supervisors should work with individual departments to reduce and control overtime.

DISABILITY AND WORKERS' COMPENSATION ISSUES

FINDINGS

- Workers' Compensation and Disability costs to the City are excessive.
- Most Citywide and departmental efforts are directed toward monitoring claimants after injuries have occurred, and those efforts are still inadequate.

- There is inadequate emphasis on prevention of future Workers' Compensation or Disability claims.

RECOMMENDATIONS

18. SFFD, SFPD, and MUNI should investigate whether workers out on disability remain off the job longer than their injuries warrant.
19. The Mayor and department heads should make addressing abuse of the inefficient and costly Workers' Compensation and Disability system a priority in negotiating future contracts.
20. The Mayor and the Board of Supervisors should direct individual department heads to substantially increase monitoring of all personnel who are out of work on Workers' Compensation or Disability.
21. The Mayor and the Board of Supervisors should direct department heads to increase their efforts to prevent on-the-job accidents.
22. Each department should be required to devise and implement department specific plans to prevent on-the-job injuries before they occur.

MEMORANDUMS OF UNDERSTANDING (MOUs)

FINDINGS

- Over the years, union contracts have been negotiated with salary and work rules that impede efficient operation of City government, prevent modernization of operations, and decrease employee responsibility and accountability.
- Contract provisions exist in many MOUs that foster and encourage overtime.
- In a number of departments, representatives of senior management are not routinely part of the City's MOU negotiating team. Professional negotiators cannot effectively represent the best interests of the City and its taxpayers without the direct input of department management. If not involved during the negotiating process, department managers may not feel accountable for the resulting MOUs.
- Many senior department managers are former, or current, members of the same union that represents rank and file department employees and may have a personal interest in the final negotiated MOU.

RECOMMENDATIONS

24. A manager who is a union member with a personal interest in the final provisions of the MOU covering that union should not be a member of the negotiating team representing the City and County of San Francisco.
25. The Mayor, the DHR and department managers should ensure that representation of the city in union contract negotiations reflects a balance of professional negotiators and department representatives.
25. Department heads should take an active role in union contract negotiations by selecting negotiators who will best represent the interests of the City and the department.
26. The Board of Supervisors should review the role of the Mayor and his staff in Police and Fire Department contract negotiations so that Police and Fire Department negotiations are conducted along lines similar to other departments.
27. The Mayor and the Board of Supervisors should set up a citizens' task force on labor contracts to review the system for negotiating MOUs and make recommendations for better service to the people of San Francisco. (A recent successful example is the federal advisory task force on making Social Security financially sound.)
28. The City should continue to negotiate for flexible work shifts, e.g., ten hour/four day shifts and Tuesday through Saturday workweek

MUNICIPAL RAILWAY

FINDINGS

- The MUNI overtime budget bears no resemblance to the actual expenditure for overtime.
- Without accurate, separate tabulations of actual overtime expenses and salary premiums, it is difficult to evaluate the true overtime costs of the Municipal Railway.
- The Maintenance and Operations Divisions of MUNI account for approximately 90% of total MUNI employees and chronic understaffing in the Operations and Maintenance Divisions account for most of the overtime expenditures.
- Certain non-transit operator employee categories in MUNI, which are covered under Administrative Code Section 18.13, are receiving overtime far in excess of the 16% allowable.
- The existing MOU sanctions unscheduled absenteeism that contributes to excessive overtime.
- The number of part-time employees allowed in MUNI is dictated by provisions of the existing MOU rather than by the efficient staffing requirements of MUNI.
- In the Operations Division, and elsewhere within MUNI, hiring rates are not adequate to keep pace with normal attrition.
- Cumbersome Civil Service and Provisional hiring requirements hamstringing timely and efficient hiring of MUNI personnel.
- MUNI's current training capacity is inadequate both in the annual number of training programs scheduled and in the number of trainer's available to conduct classes, and this results in fewer trained personnel than is required for an efficient operation.

RECOMMENDATIONS

29. MUNI management, the Mayor's Office and the Board of Supervisors should budget overtime realistically in keeping with reasonable expectations of actual need based on past experience.
30. The overtime reporting system should be modified as quickly as possible to reflect separate tabulations for overtime, shown against budgeted overtime, and salary premiums, shown against budgeted premium amounts.
31. The Mayor's office and the Board of Supervisors should provide funding in order to permit MUNI to fill all its authorized positions, especially in the Operating and Maintenance Divisions.
32. Management should enforce the provisions of Administrative Code Section 18.13 and strictly monitor the need for overtime among department employees other than transit operators and transit operator supervisors, who are exempt under the provisions of the Code Section.
33. Although the present MOU will not expire until June 30, 2000, Muni Management and the Mayor's Office should develop a negotiating package to modify the present liberal rule on unexcused failure to report to work.
34. MUNI Management and the Mayor's Office should make the use of part-time operators and greater flexibility in full-time shifts a priority in future contract negotiations.
35. MUNI Management and the Civil Service Commission should work together to streamline the existing hiring procedures including combining similar employment categories.
36. MUNI Retirement System should evaluate whether the "last 12 months" basis for retirement benefits best serves the fiscal needs of the City.
37. The Training Department capacity should be enlarged to accommodate more scheduled classes, a larger number of trainers and, consequently, more students, until the available pool of operators is adequate to meet daily needs. The budget for the Training Department should be adjusted to reflect its increased hiring requirements.
38. To expedite hiring, in-house Human Resources Division of MUNI should have authority independent of DHR procedures.

FIRE DEPARTMENT

FINDINGS

- Annual SFFD overtime budget requests are unrealistic and do not reflect anticipated and expected overtime expenditures. Because of historical under-staffing, unspent permanent budgeted salaries have provided one source of revenue to cover excessive overtime costs. With anticipated full staffing in the near term, this source of funds will no longer be available. Without realistic budgeting and funding, additional supplemental appropriations will be required to cover excess overtime costs.
- The need for overtime costs in certain support areas appears questionable. Payroll clerks, for example, should be able to accomplish their job descriptions during regularly scheduled base-salary workweeks.
- With regard to the SFFD Action Plan to Reduce Overtime Costs, dated October 24, 1997:
 - a. While the increased accountability and oversight efforts described in the Action Plan deserve praise, there is inadequate emphasis on prevention of future injuries to reduce workers' compensation and disability claims.
 - b. Departmental vacation scheduling practice is not cost-effective.
 - c. Overtime in other than the suppression ranks (firefighters) has not been examined or addressed. The Action Plan did not address any plan to review staffing levels of any non-suppression section to determine optimum or adequate levels. It did not address any emphasis on hiring to fill vacancies in other than suppression areas, nor any plan for oversight in those areas.
- As long as the Fire Department ignores specific directives from the Board of Supervisors, as in continuing to pay all firefighters overtime for holidays even when they don't work, as was reported in the *San Francisco Chronicle* on March 5, 1998, there will be no improvement in or curtailing of overtime expenditures.

RECOMMENDATIONS

- 39. The Mayor, the Board of Supervisors and the SFFD should establish an overtime budget that reflects reality and adequately fund that budget. There should not be reliance on so-called "salary savings" to cover excess overtime costs.
- 40. With respect to the SFFD Action Plan to Reduce Overtime Costs, dated October 24, 1997:
 - a. The SFFD should aggressively and immediately implement those actions outlined in the SFFD Action Plan to Reduce Overtime Costs.
 - b. The SFFD should, in addition, initiate a comprehensive plan to reduce and prevent future injuries. A plan should include:
 - 1. A disability audit to determine locations and causes of injuries:
 - During suppression activities
 - During routine firehouse activities
 - During training activities
 - During off-hours
 - 2. An outside safety audit of:
 - Established practices and procedures
 - Existing working conditions
 - 3. Increased physical requirements and training:
 - Mandated exercise programs
 - More frequent physical standards testing
- 41. The SFFD should schedule vacations evenly throughout the year to promote cost efficient scheduling of employees and thereby reduce seasonal overtime.
- 42. The SFFD should analyze non-suppression areas to determine adequate staffing levels and institute oversight of overtime costs.
- 43. The Mayor and all other members of the City's negotiating team should give the fiscal needs of the City the highest priority in developing a concrete and specific list of positions and priorities for future contract negotiations with SFFD employees.

POLICE DEPARTMENT

FINDINGS

- Annual SFPD overtime budget requests are unrealistic and do not reflect anticipated and expected overtime expenditures. Unexpended permanent salaries have provided one source of funds to cover excessive overtime costs. With anticipated full staffing in the near term, this source of funds will no longer be available. Without realistic budgeting and funding, supplemental appropriations will be required in the future to cover excess overtime costs.
- The Police Departmental overtime budget has not been increased substantially in at least the last three fiscal years, except by mid-year revisions. Meanwhile, police obligations have increased substantially with increasingly numerous special events.
- The Charter provides that the Police Department is entitled to collect 100% reimbursement for the actual overtime cost of security and traffic control services provided for 'for-profit' special events. However, reimbursement of Police Department overtime costs for special events with general cultural or artistic merit is limited to \$2500.00, and the Board of Supervisors can waive even that reimbursement.
- Section 18.13 of the San Francisco Administrative Code limits permissible overtime hours a City employee may work in any fiscal year to 16% of the number of hours that the employee is regularly scheduled to work on a straight time basis. This provision is not applicable to the uniformed ranks of the Police Department.

RECOMMENDATIONS

44. The police overtime budget should be increased to more accurately reflect the mandated responsibilities of the department that are steadily increasing with time.
45. Either the Police Department should be reimbursed for special services that require overtime or the overtime budget should reflect those known costs that will not be reimbursed.
46. Adequate personnel resources should be provided for the testing and hiring unit to provide more frequent examinations in order to staff up to the mandated level of 1,971 officers.
47. The Chief of Police should continue collaboration with the District Attorney's Office and the Public Defender's Office, as appropriate, to implement a scheduling process for officer court appearances that will minimize those overtime costs associated with court appearances.
48. The Chief of Police or his designated representative should negotiate with the police officers' bargaining entity in order to develop some flexibility in work schedules which reduces the requirement for overtime.

COMMUNITY HEALTH NETWORK (Department of Public Health)

FINDINGS

- Overtime is anticipated and budgeted for realistically. However, delays in the hiring process to fill budgeted positions contribute to the need for overtime.
- Unspent permanent salaries provide the source to fund excess overtime. The circular process goes from a vacant position directly to the need to schedule overtime personnel, to the subsequent need to use these funds to pay the overtime wages.

RECOMMENDATIONS

49. The cumbersome hiring procedures that result in chronic delays in hiring and the budget process that mandates "salary savings" should both be addressed by DPH and modified.

50. Overtime budgeting should be realistic and every attempt should be made by DPH to maintain adequate full-time staffing levels. Adequate, budgeted full-time permanent staffing will reduce overtime costs to the City and County.

SAN FRANCISCO INTERNATIONAL AIRPORT

FINDINGS

- With regard to the overtime reporting obligations of the airport, under Administrative Code Section 18.13, there is clearly a conflict between the position the airport has taken and the interpretation of the reporting requirements by the Office of the Controller.
- Although the airport greatly exceeded its overtime budget in 1996-97, it did not seek an additional budget appropriation as funds were used from unexpended salaries of vacant positions in the budget.
- In its response to the Grand Jury questionnaire, the airport did not address what it might be doing to fill vacant positions, or any difficulties it might be encountering. The only reference to aggressive action to control overtime was:
 "The Airport is in the process of implementing a compressed work week pilot program which may reduce the need for overtime work."
- Extraordinary individual overtime is excessive. Nowhere in the airport response was there any mention of specific actions to address either departmental or individual overtime abuses.
- The airport is currently operating without external oversight of its overtime activities. Certain employees substantially increase their annual base salaries through the accumulation of extraordinary overtime hours and pay.

RECOMMENDATIONS

51. The Board of Supervisors should direct the City Attorney's Office to render a decision regarding the Airport's obligations to report under Administrative Code Section 18.13.
52. If the City Attorney's Office determines the Airport is required to file reports under Code Section 18.13, the Board of Supervisors should notify the Airport it is subject to the semi-annual reporting requirements of Administrative Code 18.13. The Airport should then file both current and delinquent reports within 45 days of said notification.
53. If the City Attorney determines the Airport is not obligated to report under the provisions of Administrative Code Section 18.13, the Board of Supervisors should amend the Code Section to include the Airport under its requirements.
54. The Airport Director should review staffing requirements to determine realistic optimum levels. The Airport should develop a plan to fill budgeted vacancies and implement aggressive hiring procedures to fill budgeted vacancies rather than relying on overtime paid from "salary savings."
55. The Airport Director should examine all procedures governing the monitoring of overtime accumulation and review and tighten procedures to achieve a permanent reduction in overtime expenditures. Overtime limitations should be enforced.
56. The Airport Director should institute procedures to carefully monitor individual overtime earners to significantly reduce excessive individual overtime.

RECREATION AND PARK DEPARTMENT

FINDINGS

- The Recreation and Park Department has recently tightened management control of overtime by requiring prior written authorization for overtime by the General Manager. Failure to obtain such prior approval may result in disciplinary action.
- Most employees are covered by union contracts (MOUs) that in some cases determine how overtime will be assigned. The option of assigning employees to a ten hour/four day workweek will require renegotiating MOU provisions since not all current contracts provide for straight time shifts of more than eight hours.

- The Department has not yet evaluated the effectiveness of ten hour/four day shifts. In order to provide weekend gardener coverage, newly hired staff members can be required to work weekend shifts (Tuesday-Saturday or Wednesday-Sunday), which is expected to alleviate some use of overtime.
- The required report to the Board of Supervisors on overtime for 1996-97 has not been submitted. In November 1997, the acting General Manager indicated the report would be submitted shortly.

RECOMMENDATIONS

57. The Recreation and Park Department should continue to require prior approval by the General Manager for overtime.
58. The effectiveness of ten hour/four day shifts as well as weekend shifts (e.g., Tuesday- Saturday and Wednesday-Sunday) should be evaluated by the Department. If that scheduling is found to be effective in accomplishing the required work and reducing overtime it should be a priority to seek to include provisions authorizing such scheduling in MOUs.
59. The Director of the Recreation and Park Department should submit required overtime reports to the Board of Supervisors by the required deadline.
60. The Recreation and Park Department should evaluate whether the Giants and Forty-Niners are fully reimbursing overtime costs incurred at 3Com/Candlestick Park.

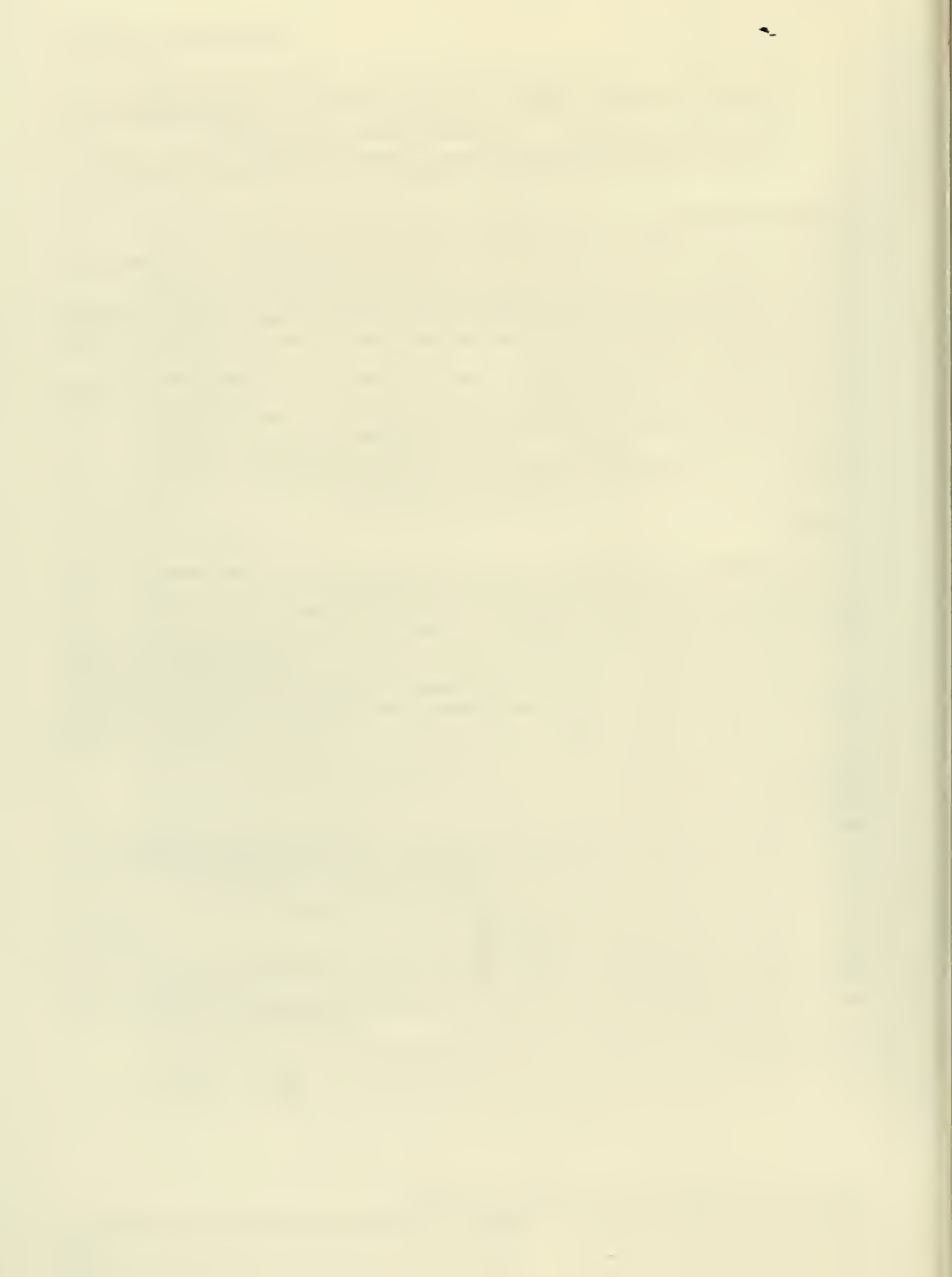
PUBLIC UTILITIES COMMISSION (PUC) – WATER DEPARTMENT

FINDINGS

- Approximately 25% of filtration plant positions are vacant. Therefore, overtime is required to safely operate the facilities. Hiring delays are blamed for these vacancies.
- No representatives of management are involved in union MOU negotiations.
- The Human Resources staff of the Public Utilities Commission was reported to be under-funded and understaffed. Difficulties were reported in changing from the salary survey method of setting wage rates to the collective bargaining process which requires negotiating with unions. The existing staff may not have the skills and experience required for effective representation of the City's interests in collective bargaining.
- Since the Department routinely has capital expenditure construction projects underway it is able to shift some operating overtime expenses to capital expenditures. This can distort the reporting and accounting for operations and capital projects.

RECOMMENDATIONS

61. Since emergencies occur every year, overtime based upon prior year's experience should be included in the budget. Non-emergency projects should be scheduled for completion during normal working hours.
62. The Department should consider additional alternative shift arrangements that cover weekends and evenings, since pollution control problems regularly occur outside the normal work week.
63. The Water Department staff should be trained in the new FAMIS system and be able to make the required reports on overtime to the Board of Supervisors.
64. The Water Department (PUC) management should be part of the team negotiating MOUs.
65. Operating and capital accounts should be audited regularly to prevent shifting of operating overtime expenses to capital accounts.
66. The Water Department (PUC) should overhaul Human Resources hiring practices so that vacant positions can be promptly filled.



Item 14 – File 98-1778

Department: Ethics Commission

Item: Ordinance amending Article XIIA of the San Francisco Administrative Code by (1) amending Sections 16.520 through 16.534, clarifying definitions and adding new definitions, including consolidating the definition of “lobbyist” with the thresholds for qualifying as a lobbyist and the exemptions, (2) increasing the qualification threshold for contract lobbyists from \$1,000 per month to \$3,200 per quarter, (3) increasing the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$3,200 per quarter, (4) clarifying that once a person qualifies as a “lobbyist” the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination, (5) clarifying existing disclosure requirements, (6) providing that all lobbyists reregister on January 15 of each year, (7) requiring lobbyists to disclose payments received from City officers in exchange for campaign consulting services, (8) limiting the aggregate value of gifts from lobbyists to each City officer, within three months of a lobbyist contact to \$50, and (9) requiring lobbyists to notify City officers of the value of gifts conferred.

Description: The primary fiscal component of the proposed legislation is the change in the monetary thresholds that determine whether and when one qualifies as a lobbyist. Currently, a person or entity qualifies as a Contract lobbyist if the person or entity receives or becomes entitled to receive \$1,000 or more in a calendar month in exchange for influencing or attempting to influence local legislative or administrative action. Additionally, a person or entity qualifies as an Expenditure lobbyist if the person or entity makes payments of \$1,000 or more in a calendar quarter to influence or attempt to influence City and County of San Francisco legislative or administrative action.

This proposed legislation would increase the qualification threshold for Contract lobbyists from \$1,000 per calendar month to \$3,200 in any quarter (quarter is defined in the proposed legislation as any three consecutive calendar

BOARD OF SUPERVISORS
BUDGET ANALYST

months), and would increase the qualification threshold for Expenditure lobbyists from \$1,000 per calendar quarter to \$3,200 in any quarter.

This proposed legislation would also clarify that once a person or entity qualifies as a lobbyist, that person or entity must comply with all the requirements and prohibitions of Article XIIA of the Administrative Code until the lobbyist formally files a statement of termination with the Ethics Commission.

Disclosure Requirements

According to Ms. Ginny Vida of the Ethics Commission, the proposed additional disclosure requirements, modifications, and clarifications of existing disclosure requirements will have no significant fiscal effect.

- Currently, lobbyists must report "activity expenses," which are payments that benefit City officers, candidates for City office, certain family members of such City officers and candidates, if the payments aggregate \$20 or more in value per calendar month.

Under the proposed legislation, lobbyists must also report payments that benefit aides to members of the Board of Supervisors, registered domestic partners and certain family members of City officers, and candidates for City office if the payments were made within three months of a lobbyist contact and if the payments aggregate \$30 or more in value in a consecutive three-month period.

- Currently, lobbyists are not required to disclose payments received from City officers for campaign consulting services.

Under the proposed legislation, lobbyists would be required to disclose payments received from City officers in exchange for campaign consulting services.

- Currently, lobbyists are required to re-register within 15 days after the close of the calendar year that includes the anniversary of the date of initial registration.

BOARD OF SUPERVISORS BUDGET ANALYST

Under the proposed legislation, all lobbyists are required to re-register on January 15 of each year. The proposed legislation also clarifies the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports.

Prohibitions

The following prohibition is new and is estimated to have no significant fiscal effect, according to Ms. Vida.

- Currently, lobbyists are not subject to a limit on the value of gifts conferred to City officers.

The proposed legislation limits to \$50 the aggregate value of gifts a lobbyist may make to City officers within three months of a lobbyist contact.

Other Changes

Additionally, the proposed legislation would resolve ambiguous definitions (including definitions for the terms "candidate," "contact," "filer," "gift," "lobbyist services," "measure," and "person"), codify previously-issued advice and make terminology in the Administrative Code Sections related to lobbyists consistent throughout the Administrative Code and publications of the Ethics Commission. None of these changes is estimated to have a significant fiscal effect, according to Ms. Vida.

According to Ms. Vida, the purpose of the above proposed legislation is to clarify the definition of conflict of interest activities related to lobbyists and to limit the activities of lobbyists that could result in undue influence on City officers or City employees.

Comments:

1. According to Ms. Vida, the existing \$1,000 per month threshold for both Contract and Expenditure lobbyists has been in effect since 1988, when the Lobbyist Ordinance was first enacted. As previously noted, the proposed legislation would modify the \$1,000 monetary thresholds for qualification as a Contract or Expenditure lobbyist by increasing it to \$3,200 per quarter, defined as any three consecutive calendar months, for both contract and expenditure lobbyists.

BOARD OF SUPERVISORS
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2. According to Ms. Peggy Ahn of the Ethics Commission, there are currently 52 lobbyists registered with the City's Ethics Commission. Of the 52 lobbyists, 29 are registered as Contract lobbyists and two are registered as Expenditure lobbyists. The remaining 21 lobbyists are registered as Business and Organization lobbyists, and would be unaffected by the proposed legislation. Business and Organization lobbyists are defined as those who compensate their employees or members for lobbying activities in any amount, on behalf of the business or organization whose employees or members have at least 25 contacts with City officers over two consecutive months.

3. According to Ms. Ahn, Ethics Commission staff reviewed filings for the first three quarters of calendar year 1998 and all four quarters of 1997 to estimate the effect of the proposed legislation requiring Contract and Expenditure lobbyists to register with the City who meet the \$3,200 threshold. Ethics Commission staff determined that seven Contract lobbyists and both of the two registered Expenditure lobbyists would not meet the proposed quarterly threshold. As a result of the nine lobbyists who would not qualify under the proposed legislation (seven Contract and two Expenditure lobbyists), and therefore would not be required to register as lobbyists, there would be an estimated reduction in the lobbyist registration fees collected by the Ethics Commission of \$3,550 annually.

Ms. Ahn notes however, that based on the staff review of lobbyist filings, the Ethics Commission projects that the proposed increase in the qualification threshold would result in little, if any, revenue loss in lobbyist registration fees because data indicates that lobbyists tend to continue to maintain their lobbyist status, and would therefore continue paying the registration fee to the City, even if not required to register under the proposed threshold, in order to maintain the potential to engage in lobbying activities as a part of their business.

4. Annual lobbyist registration fees (\$300) and annual lobbyist client registration fees (\$50 each client) accrue to the General Fund. The Attachment to this report is a

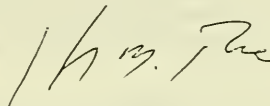
BOARD OF SUPERVISORS
BUDGET ANALYST

memo prepared by the Ethics Commission which provides the details for this projected potential reduction of up to \$3,550 in annual General Fund revenue that could result from the proposed changes in lobbyist registration fees.

5. Ms. Vida reports that the subject proposed changes to the Lobbyist Ordinance would not result in additional personnel or other costs to the City.

6. As shown in the Attachment to this report, Ms. Ahn notes, "The Commission's recommendation to increase the qualification threshold for contract lobbyists and expenditure lobbyists is based upon two considerations: 1) to ensure that lower earning lobbyists are not burdened with disproportionately high registration fees; and 2) to more closely match the lobbyist qualification threshold implemented by the Los Angeles Ethics Commission."

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Ammiano
Supervisor Yee
Supervisor Brown
President Kaufman
Supervisor Bierman
Supervisor Katz
Supervisor Medina
Supervisor Leno
Supervisor Newsom
Supervisor Teng
Supervisor Yaki
Clerk of the Board
Controller
Gail Feldman
Matthew Hymel
Stephen Kawa
Ted Lakey



ETHICS COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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HENRI E. NORRIS
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DOCKENDORFF
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COMMISSIONER

VIRGINIA E. VIDA
EXECUTIVE DIRECTOR

TO: Taylor Emerson
Office of the Budget Analyst

FROM: Ginny Vida, Executive Director
By, Peggy Ahn, Whistleblower/Educator

DATE: November 17, 1998

RE: Potential Revenue Loss due to Increased Monetary Threshold for
Contract Lobbyists and Expenditure Lobbyists (formerly
"Grassroots" Lobbyists)

The proposed amendments to San Francisco's Lobbyist Ordinance (Article XIA, Sections 16.520 through 16.534) include a recommendation to increase the monetary thresholds qualification as a contract or expenditure (currently "grassroots") lobbyist. Based on review of lobbyists filings, the Ethics Commission projects that an increase of the qualification threshold to \$3,200 per quarter would result in little, if any, revenue loss to the City's General Fund in lobbyist registration fees.

As indicated below, the Commission staff has determined that the proposed amendments could possibly result in a total estimated annual revenue loss of \$3,550. However, information filed by lobbyists with the Ethics Commission indicates that lobbyists who fall below the threshold tend to maintain their registered status. Thus, we conclude that it is unlikely that the proposed threshold would result in any significant reduction in registration fee revenues.

I. RATIONALE FOR PROPOSED QUARTERLY THRESHOLD

Currently, persons or entities will qualify as "contract" lobbyists if they receive (or become entitled to receive) at least \$1,000 total compensation for lobbying in any calendar month. Persons or entities will qualify as "grassroots" lobbyists if they spend \$1,000 or more in a calendar quarter to influence local legislative or administrative action.

The legislation would increase the qualification threshold for contract lobbyist from \$1,000 in any calendar month to \$3,200 in any calendar quarter (any three consecutive months). The legislation would also increase the qualification threshold for expenditure lobbyists from \$1,000 in any calendar month to \$3,200 in any calendar quarter.

In reaching the figure of \$3,200, the Commission considered the impact of the change in registration fees on lower earning lobbyists. These fees were increased by over 800 percent in November 1997 (from \$35 to \$300). The Commission also determined that a quarterly threshold would be more sensible because it would follow the quarterly reporting system.

For example, under the current law, a contract lobbyist who earns \$1,000 in a single calendar month and no income during the rest of the year would have to pay at least 35 percent of his/her lobbyist income in registration and client fees (\$300 annual registration and at least \$50 in client fees). Under the proposed amendments, a contract lobbyist who earns \$3,200 in a calendar quarter and no income during the rest of the year would pay no more than 10 percent of his/her lobbyist income in fees.

The Commission's lobbyist fees are similar to those currently administered by the Los Angeles Ethics Commission. That agency's lobbyist qualification threshold of \$4,000 per quarter is close to the \$3,200 threshold proposed by the San Francisco Ethics Commission than the current \$1,000 threshold. When the Los Angeles Commission increased its lobbyist fees (to \$300 annual registration and \$50 per client), it also raised its qualification thresholds to avoid imposing an undue burden on low-earning (or grass roots) lobbyists. That same rationale underlies the San Francisco Ethics Commission's proposal.

Increasing the threshold may or may not result in a number of lobbyists who would no longer qualify as lobbyists, and therefore would not be required to register as lobbyists. This memorandum discusses the potential reduction in the lobbyist registration fees as a result of the proposed increase in the qualification threshold.

II. ESTIMATED NUMBER OF LOBBYISTS THAT POTENTIALLY WOULD NOT MEET THE PROPOSED THRESHOLD

There are currently 52 registered lobbyists. Of the 52 lobbyists, 29 are registered as contract lobbyists and two (2) are registered as expenditure lobbyists. Staff reviewed filings for the first three quarters of 1998 to estimate how many contract and expenditure lobbyists would not meet the proposed \$3,200 quarterly threshold. Staff determined that approximately nine lobbyists (seven contract lobbyists and two expenditure lobbyists) would not meet the new quarter-based threshold.

A. Contract Lobbyists

Approximately seven contract lobbyists would not meet the proposed \$3,200 threshold for the first three quarters of 1998. Table I below lists those lobbyists and their 1998 earnings.

Table I: 1998

Contract Lobbyist	1st Qtr. 1998	2nd Qtr. 1998	3rd Qtr. 1998
Coblentz, Patch, et al.	\$0.00	\$0.00	\$0.00

The Johnson Group	\$0.00	\$0.00	\$0.00
Keil & Connolly	\$0.00	\$0.00	\$0.00
Lewis, D'Amato, et al.	\$0.00	\$0.00	\$0.00
Morrison & Foerster	\$0.00	\$0.00	\$0.00
Reuben & Alter	\$0.00	\$0.00	\$1,400.00
Rose & Kindel	\$0.00	\$0.00	\$0.00

Staff also reviewed all four quarters of 1997 to determine how many lobbyists would not have met the proposed quarterly threshold. Table II below indicates that five contract lobbyists, two of whom recently terminated their status ("*"), would not have met the proposed threshold in 1997.

Table II: 1997

Contract Lobbyist	1 st Q '97	2 nd Q '97	3 rd Q '97	4 th Q '97
Baca Thier & Associates*	\$1,050.00	\$0.00	\$0.00	\$0.00
Coblentz, Cahen, et al.	\$0.00	\$0.00	\$0.00	\$0.00
Richard S.E. Johns*	\$1,845.83	\$2,996.75	\$1,657.92	\$400.00
Keil & Connolly	\$0.00	\$0.00	\$0.00	\$0.00
Morrison & Foerster	\$0.00	\$0.00	\$0.00	\$0.00

B. Expenditure Lobbyists

Similarly, Table III indicates that both of the two expenditure lobbyists would not meet the proposed \$3,200 threshold during the first three quarters of 1998. Philip Morris and Co. and the S.F. Homeowners Council each made no payments for lobbying activities in all three quarters of 1998.

Table III: 1998

Grassroots Lobbyist	1 st Q '98	2 nd Q '98	3 rd Q '98
Philip Morris, Inc.	\$0.00	\$0.00	\$0.00
S.F. Homeowner's Council	\$0.00	\$0.00	\$0.00

One of the two expenditure lobbyists would not have met the proposed \$3,200 threshold in 1997. The table below shows that this lobbyist made no payments for lobbying in 1997.

Table IV: 1997

Grassroots Lobbyist	1 st Q '97	2 nd Q '97	3 rd Q '97	4 th Q '97
S.F. Homeowner's Council	\$0.00	\$0.00	\$0.00	\$0.00

III. POTENTIAL LOSS OF ANTICIPATED REVENUE

Staff reviewed the potential loss of revenue to the City's General Fund for each lobbyist that did not meet the proposed threshold during the first three quarters of 1998.

A. Contract Lobbyists

Contract Lobbyist	Re-Registration Fee (\$300 annually)	Clients	Re-Registration Fee (\$50 annually per client)
Coblentz, Cahen, et al.	\$300.00	1	\$50.00
The Johnson Group	\$300.00	0	\$0.00
Keil & Connolly	\$300.00	3	\$150.00
Lewis, D'Amato, et al.	\$300.00	6	\$300.00
Morrison & Foerster	\$300.00	2	\$100.00
Reuben & Alter	\$300.00	5	\$250.00
Rose & Kindel	\$300.00	0	\$0.00
Total	\$2,100	17	\$850.00
Total Potential Revenue	\$2,950.00		

B. Expenditure (Grassroots) Lobbyists

Staff calculated the approximate anticipated revenue each expenditure lobbyist would generate to the City's General Fund in the table below. (Please note that expenditure lobbyists do not have clients.)

Expenditure Lobbyists	Re-Registration Fee (\$300)
Philip Morris, Inc.	\$300.00
S.F. Homeowner's Council	\$300.00
Total Estimated Revenue	\$600.00

A. Total Potential Loss of Revenue from Contract and Expenditure Lobbyists

Based on the figures for contract and expenditure lobbyists, the total possible loss of annual revenue to the City's General Fund is **\$3,550.00**.

It is important to consider that this figure represents a potential estimated loss of revenue, rather than a projected reduction of funds to the City's General Fund. Although the seven contract lobbyists and two expenditure lobbyists identified above would not qualify as lobbyists under the proposed quarterly threshold, it is unlikely that these lobbyists would terminate their status, even though they would no longer be required to register.

In reaching this conclusion, staff reviewed the data for the first three quarters of 1998, (see Table on page 2) and all four quarters of 1997. The 1998 data indicates that each of the seven contract

lobbyists reported receiving no payments for lobbying during the first three quarters of 1998, with the exception of Reuben & Alter, who received \$1,400 during this year's 3rd quarter. See Table I on page 2. Similarly, the 1997 data shown on Table II, page 2 indicates that five lobbyists would not have met the proposed threshold during any quarter in 1997.

With the exception of two lobbyists who terminated their status earlier this year (Baca Thier and Richard Johns and Associates), each of the contract lobbyists who received no payments for lobbying in either 1997 or 1998 has re-registered this year as a lobbyist. Each also re-registered despite not having met the current monthly threshold of \$1,000. Staff believes these firms will continue to re-register annually, regardless of whether they will qualify as lobbyists, because of the potential for lobbying activities inherent in their lines of business. For example, six of the seven contract lobbyists in Table I are law firms whose services have at some point required lobbying activities on behalf of their clients. Therefore, staff believes these firms will continue to maintain their status as lobbyists.

Similarly, it is unlikely that the two expenditure lobbyists identified above would terminate their lobbyist status despite their failure to qualify as lobbyists under the proposed quarterly threshold. The 1997 and 1998 data for these lobbyists indicate that they made few, if any, payments for lobbying activities during the 1997 year and during the first three quarters of 1998. Philip Morris spent \$4,150 for lobbying during the fourth quarter of 1997 only, and the S.F. Homeowner's Council made no payments at all during 1997 and 1998. As of January 1, 1998, none of these lobbyists spent the current threshold of \$1,000 in any month for lobbying activities, yet all of them have continued to re-register and maintain their lobbyist status.

IV. CONCLUSION

The Commission's recommendation to increase the qualification threshold for contract lobbyists and expenditure lobbyists is based upon two considerations: 1) to ensure that lower earning lobbyists are not burdened with disproportionately high registration fees; and 2) to more closely match the lobbyist qualification threshold implemented by the Los Angeles Ethics Commission.

Based on review of lobbyist filings, the SF Ethics Commission projects that an increase of the qualification threshold to \$3,200 per quarter is would result in little, in any, revenue loss to the City's General Fund in lobbyist registration fees. Although it is true that an estimated nine lobbyists would no longer qualify and therefore would not be required to register under the proposed threshold, the data discussed above strongly suggests that these lobbyists would continue to maintain their status as lobbyists. However, an estimated potential revenue loss of \$3,550 could be realized in the unlikely event that all lobbyists falling below the threshold should elect to terminate their status.



City and County of San Francisco

Meeting Minutes

Rules Committee

Members: *Supervisors Tom Ammiano, Leland Yee, Amos Brown*

Clerk: *Mary Red*

Veterans Building
401 Van Ness Avenue,
Room 308
San Francisco, CA
94102-4532

Tuesday, December 08, 1998

10:00 AM

Veterans Building
401 Van Ness Ave., Room 410
San Francisco, CA 94102

Regular Meeting

Members Present: Tom Ammiano, Leland Y. Yee, Amos Brown.

Meeting of December 8 recessed to December 9 due to power outage.

Meeting Convened

Meeting convened at 10:05 a.m.

APPOINTMENTS

981732 [Appointment]

Hearing to consider appointing member to the Drug Abuse Advisory Board. (Rules Committee)

1 Seat Being Considered:

Seat 14, must represent the public at large, unexpired three year term ending October 1, 2000.

10/16/98, RECEIVED AND ASSIGNED to Rules Committee.

11/24/98, CONTINUED. Continued to December 8, 1998.

Heard in Committee. Speakers: Georgia Bates Creel, Peter Basso. Appointment of Georgia Bates Creel, Seat 14, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing member to the Drug Abuse Advisory Board. (Rules Committee)

(Appointing Georgia Bates Creel, to succeed Beverly Guardino, Seat 14, must represent the public at large, unexpired three year term ending October 1, 2000.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

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980907 [Appointments]

Hearing to consider appointing member to the Skating Advisory Committee. (Rules Committee)

1 Seat Being Considered:

Seat 6, must represent environmental organizations, three year terms to be determined by lot.

6/8/98, RECEIVED AND ASSIGNED to Rules Committee. 6/6/98, Vacancy Notice posted.

10/13/98, CONTINUED. Continued to October 27, 1998.

10/27/98, CONTINUED. Heard in Committee. Speakers: Supervisor Ammiano, Chris Duderstadt, Bob Planthold, Paul Pillitteri, Victoria Armigo, Grayce Regan. Continued to November 10, 1998.

11/10/98, DIVIDED. Heard in Committee. Speakers: Zack Phillips, Steve Rosen, Supervisor Brown, Brian Sarrazin, Kirk Ireland, Robert Rodriguez, David Miles. Appointment of Paul Pilletteri, Seat 1; David Miles, Seat 2; Zack Phillips, Seat 3; Chris Duderstadt, Seat 7; Victoria Armigo, Seat 8; Robert Rodriguez, Seat 9; Bob Planthold, Seat 10; Grayce Regan, Seat 11, recommended. See File 981912. Remaining three appointments continued to November 24, 1998.

11/10/98, CONTINUED. Continued to November 24, 1998.

11/24/98, DIVIDED. Heard in Committee. Speakers: Alex Lantsberg, Arthur Howard. Appointment of Alex Lantsberg, Seat 5, and Arthur Howard, Seat 4, recommended. See File 982006. Remaining appointment continued to December 8, 1998.

11/24/98, CONTINUED. Continued to December 8, 1998.

Heard in Committee. Speaker: Darla Bratton. Appointment of Darla Bratton, Seat 6, recommended.

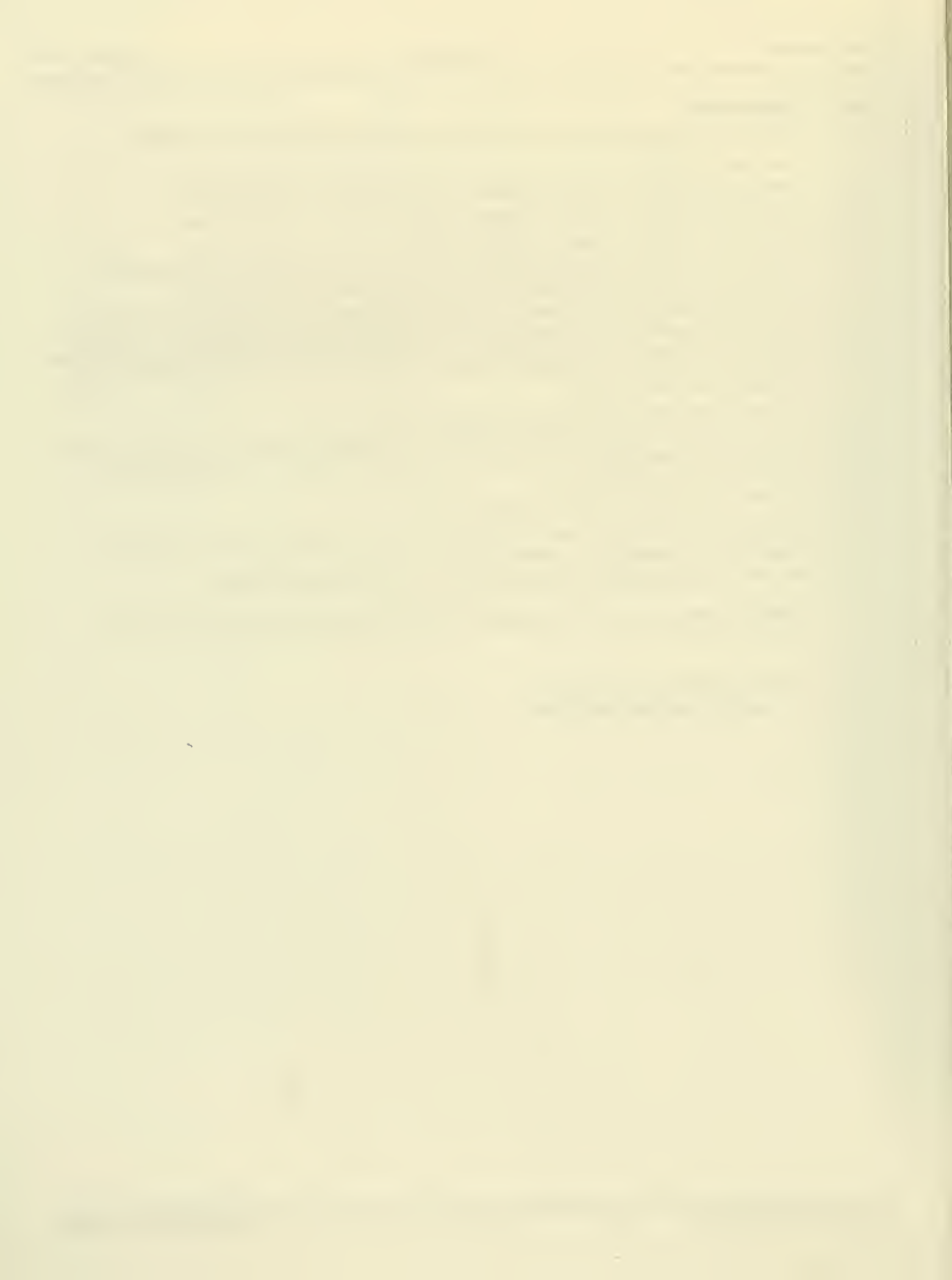
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing member to the Skating Advisory Committee. (Rules Committee)

(Appointing Darla Bratton, Seat 6, must represent environmental organizations, three year terms to be determined by lot.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown



981232 [Appointments]

Hearing to consider appointing members to the Maternal Child Adolescent Health Board. (Clerk of the Board)

10 Seats Being Considered:

Seat 1, must be nominee of Supervisor Kaufman, new three year term ending August 31, 2001;

Seat 2, must be nominee of Supervisor Katz and health professional, new three year term ending August 31, 2001;

Seat 9, must be nominee of Supervisor Newsom and health professional, new three year term ending August 31, 2001;

Seat 12, must be nominee of Supervisor Bierman and health professional, new three year term ending August 31, 2001;

Seat 13, must be nutritionist, new three year term ending August 31, 2001.

Seat 14, must be nominee of Supervisor Yee and educator, new three year term ending August 31, 2001;

Seat 15, must be nominee of Supervisor Brown and represent child development, new three year term ending August 31, 2001;

Seat 17, must be nominee of Supervisor Teng, new three year term ending August 31, 2001;

Seat 19, must be nominee of Supervisor Leno and pediatrician, new three year term ending August 31, 2001;

Seat 20, must be nominee of Supervisor Medina and a parent, new three year term ending August 31, 2001.

7/27/98, RECEIVED AND ASSIGNED to Rules Committee.

10/13/98, CONTINUED. Continued to October 27, 1998.

10/27/98, DIVIDED. Heard in Committee. Speaker: Charlene Clemens. Appointment of Dr. Harry Coren to Seat 10, and Charlene Clemens to Seat 11, recommended. See File 981824. Remaining appointments continued to call of the chair.

10/27/98, CONTINUED TO CALL OF THE CHAIR.

11/10/98, DIVIDED. Heard in Committee. Speakers: Sue Cauthen, Supervisor Ammiano. Appointment of Sue Cauthen to Seat 3, recommended. See File 981916. Remaining ten appointments continued to call of the chair.

11/10/98, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speaker: Judith Levine. Appointment of Judith Levine, Seat 13, recommended. See File 982069. Remaining 9 appointments continued to call of the chair.

DIVIDED.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

982069 [Appointment]

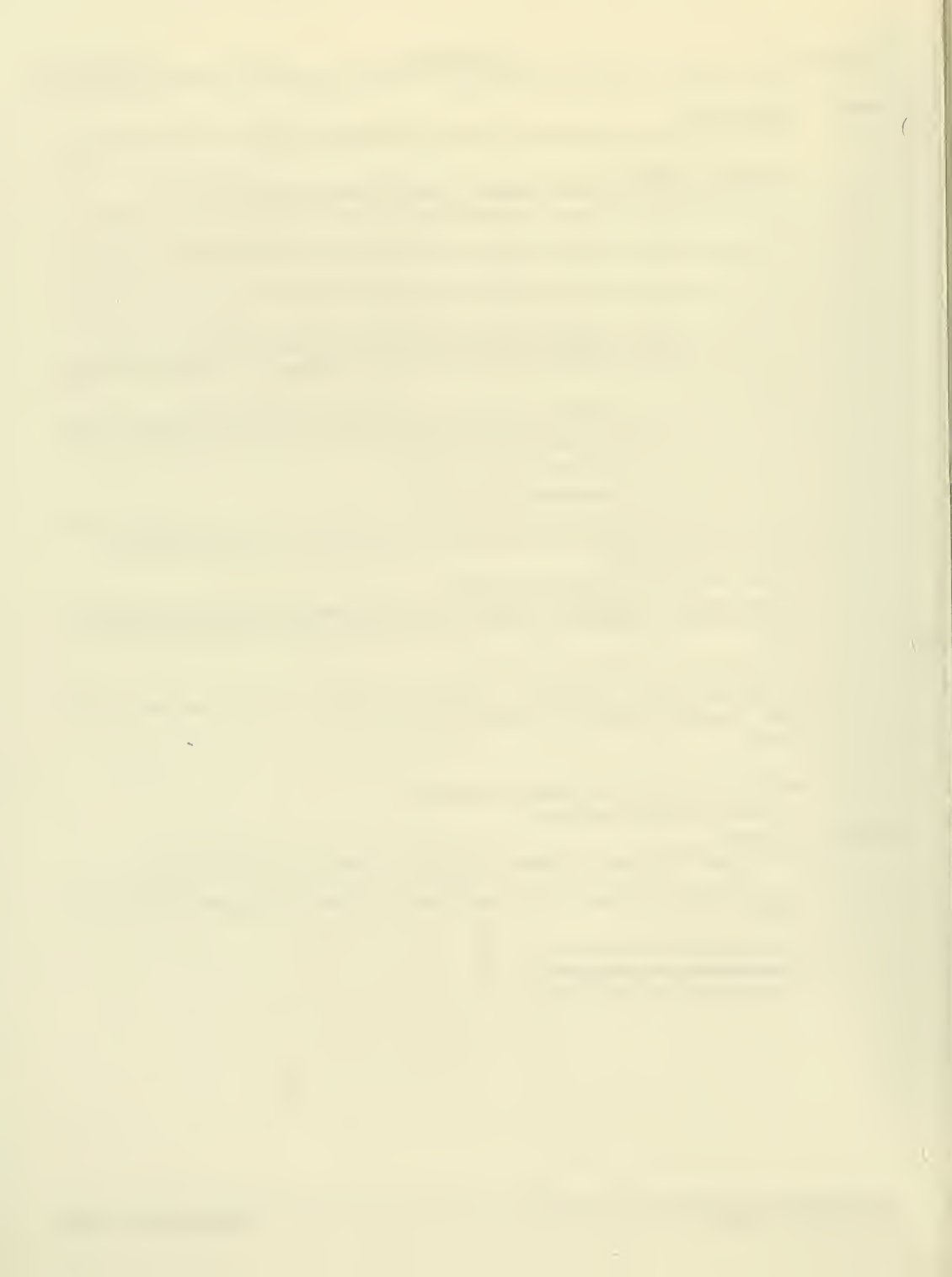
Resolution appointing member to the Maternal Child Adolescent Health Board. (Rules Committee)

(Appointing Judith Levine to succeed herself, Seat 13, must be nutritionist, new three year term ending August 31, 2001.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown



981548 [Appointments]

Hearing to consider appointing members to the Assessment Appeals Board. (Rules Committee)

6 Seats Being Considered:

(All positions must have 5 years professional experience in State),

Seat #2, Regular/Board #1, new three-year terms ending September 7, 2001;

Seat #8, Regular/Board #2, new three-year terms ending September 7, 2001;

Seat #9, Regular/Board #2, new three-year terms ending September 7, 2001;

Seat #12, Alternate/Hearing officer/Board #2, new three-year terms ending September 7, 2001;

Seat #14, Alternate/Hearing officer/Board #2, new three-year terms ending September 7, 2001;

Seat #15, Alternate/Hearing officer/Board #2), new three-year terms ending September 7, 2001.

9/17/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Lawrence Lee, Joseph Koman, John McGarry, Hayes Miles, Owen Brady, Marilyn Cosentino, Supervisor Ammiano. Appointment of Lawrence Lee, Seat 2, Steven Cox, Seat 12, Joseph Koman, Seat 14, John McGary, Seat 15, recommended. See File 982070. Remaining two appointments continued to January 12, 1999.

DIVIDED.

Continued to January 12, 1999.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

982070 [Appointments]

Resolution appointing members to the Assessment Appeals Board. (Rules Committee)

(Appointing Lawrence Lee to succeed Peter Fatooh, Seat 2, new three year term ending September 7, 2001;

Steven Cox to succeed himself, Seat 12, new three year term ending September 7, 2001;

Joseph Koman to succeed himself, Seat 14, new three year term ending September 7, 2001;

John McGary to succeed himself, Seat 15, new three year term ending September 7, 2001.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981870 [Appointment]

Hearing to consider appointing member to the Hazardous Materials Advisory Committee. (Rules Committee)

1 Seat Being Considered:

Seat 19, must be representative of City Planning Department.

11/3/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Alice Glasner. Appointment of Alice Glasner, Seat 19, recommended.

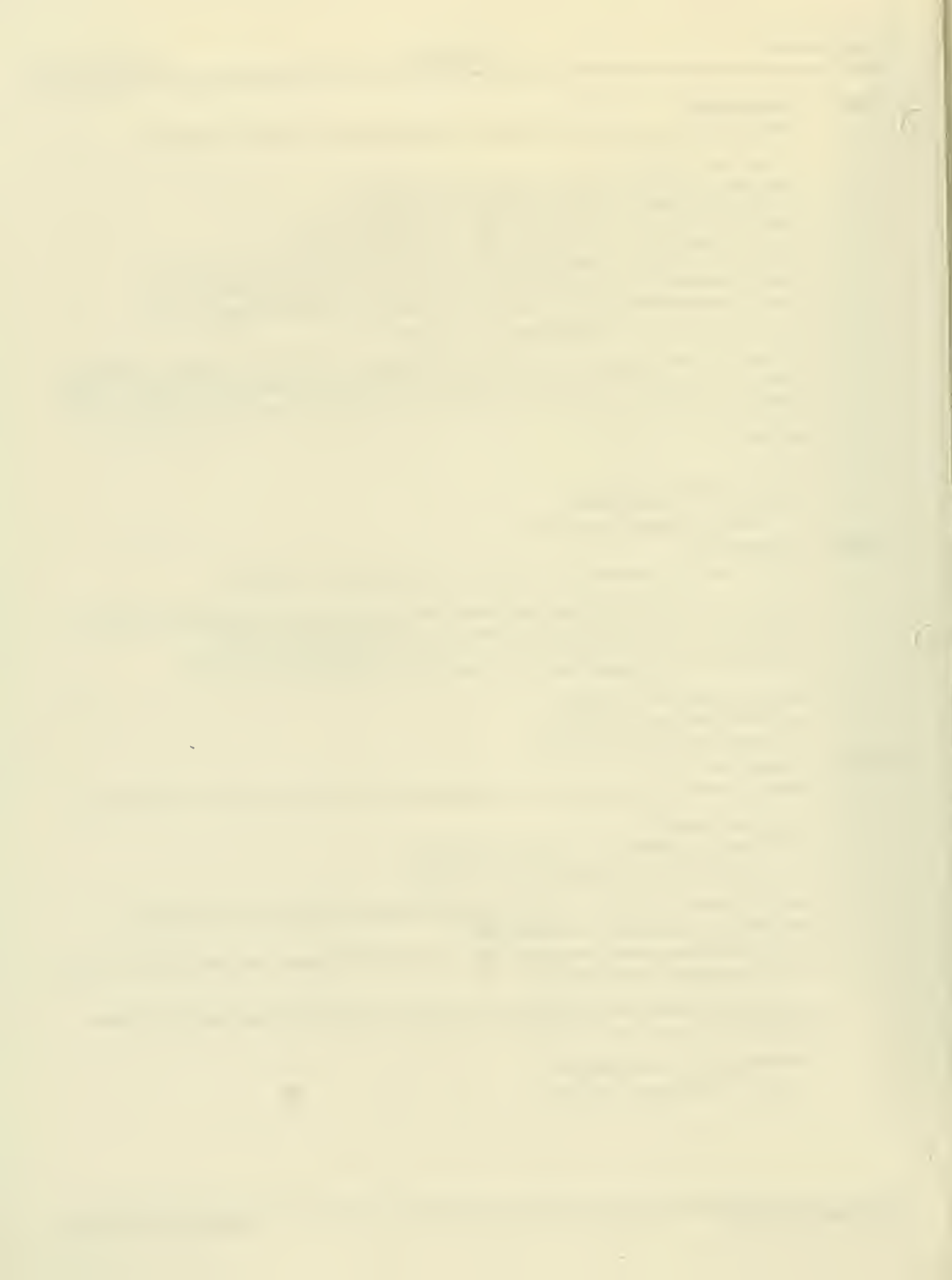
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing member to the Hazardous Materials Advisory Committee, and making findings waiving residency requirement. (Rules Committee)

(Appointing Alice Glasner to succeed herself, Seat 19, must be representative of City Planning Department, for new four year term ending July 1, 2002.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown



981884 [Appointments]

Hearing to consider appointing members to the Delinquency Prevention Commission. (Clerk of the Board)

2 Seats Being Considered:

Seat 4, must have interest in and be knowledgeable of juvenile delinquency, unexpired term ending December 31, 1998, new four year term ending December 31, 2002;

Seat 13, must be nominee of Supervisor Kaufman, unexpired portion of term ending December 31, 2000.

11/5/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Joyce Miller, Valentina Sedeno, Rene Velasquez, Ted Frazier. Appointment of Ted Frazier, Seat 4, recommended. See File 982071. Remaining appointment continued to January 12, 1999.

DIVIDED.

Hearing to consider appointing member to the Delinquency Prevention Commission. (Clerk of the Board)

1 Seat Being Considered:

Seat 13, must be nominee of Supervisor Kaufman, unexpired portion of term ending December 31, 2000.

Continued to January 12, 1999.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

982071 [Appointment]

Resolution appointing member to the Delinquency Prevention Commission. (Rules Committee)

(Appointing Ted Frazier to succeed James Mayo, Seat 4, must have interest in and be knowledgeable of juvenile delinquency, unexpired term ending December 31, 1998, new four year term ending December 31, 2002.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

982018 [Appointments]

Hearing to consider appointing members to the Developmental Disabilities Board Area 5. (Rules Committee)

2 Seats Being Considered:

Seat 1, must represent public at large, new three year term ending December 31, 2001;

Seat 2, must have a demonstrated interest and leadership in human services, new three year term ending December 31, 2001.

12/7/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Sara Desumala, Theresa Gallegos. Appointment of Sara Desumala, Seat 2, and Theresa Gallegos, Seat 1, recommended

PREPARED IN COMMITTEE AS A RESOLUTION.

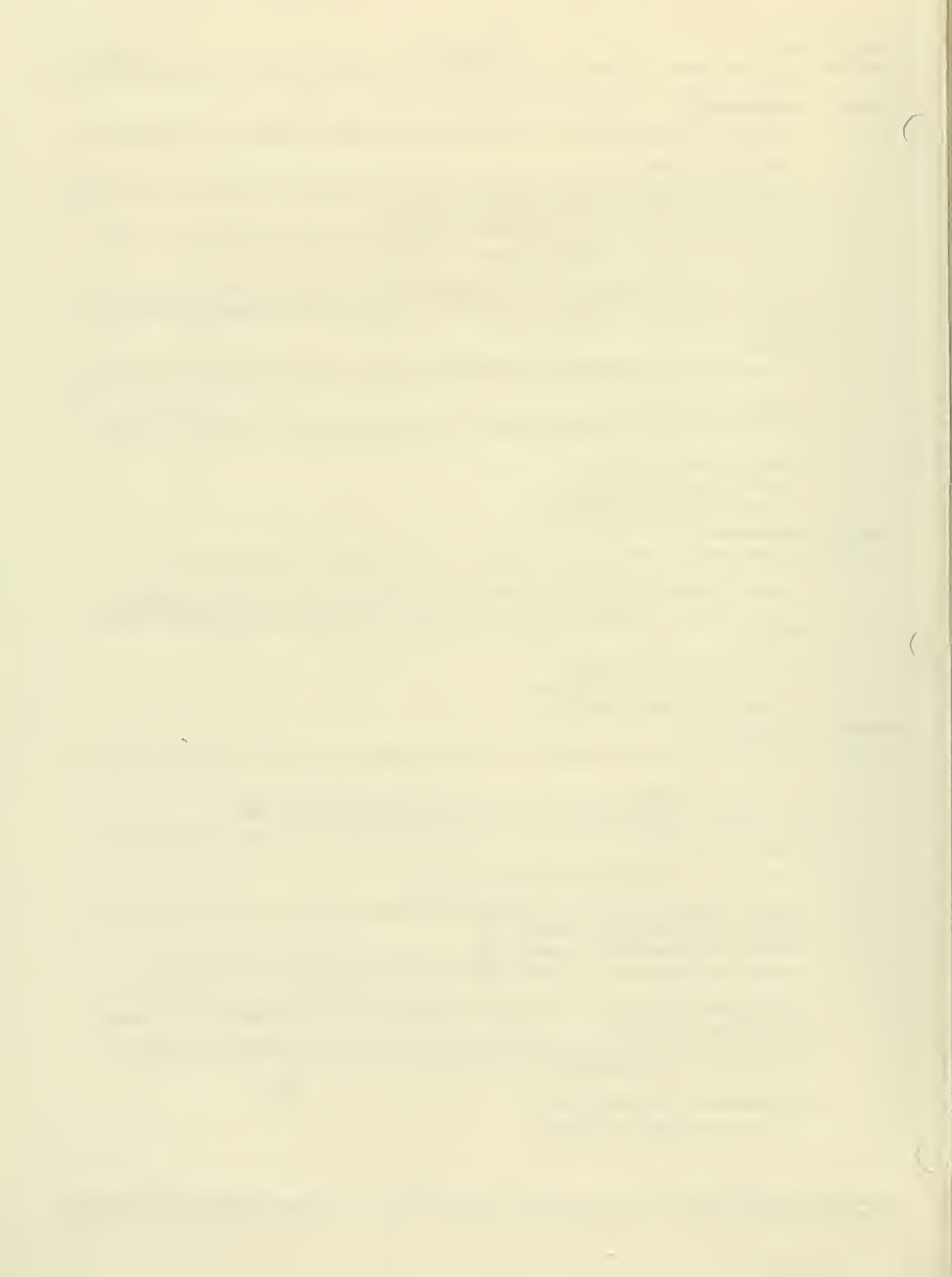
Resolution appointing members to the Developmental Disabilities Board Area 5. (Rules Committee)

(Appointing Theresa Gallegos to succeed herself, Seat 1, must represent public at large, new three year term ending December 31, 2001;

Sara Desumala to succeed Julie Hsu, Seat 2, must have a demonstrated interest and leadership in human services, new three year term ending December 31, 2001.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown



980984 [Appointments]

Hearing to consider appointing members to the Park and Open Space Advisory Committee. (Clerk of the Board)

3 Seats Being Considered:

Seat 6, must be nominee of Supervisor Teng, new two year term ending July 15, 2000;

Seat 9, must be nominee of Supervisor Leno, new two year term ending July 15, 2000;

Seat 11, must be nominee of Supervisor Medina from organization list, new two year term ending July 15, 2000.

6/22/98, RECEIVED AND ASSIGNED to Rules Committee. 7/14/98, Heard in Committee. Appointments of Gaeta Bell, Kevin Fox, Ina Dearman, recommended. See File 981181. Remaining appointments continued to call of the chair.

7/28/98, Heard in Committee. Appointments of Julia Viera and Harold Supriano recommended. See File 981270. Remaining appointments continued to call of the chair.

9/22/98, DIVIDED. Heard in Committee. Speakers: Michelle Stratton. Appointment of Michelle Stratton, Seat 12, recommended. See File 98-1593. Remaining appointments continued to call of the chair.

9/22/98, CONTINUED TO CALL OF THE CHAIR.

10/27/98, CONTINUED. Continued to November 10, 1998.

11/10/98, DIVIDED. Heard in Committee. Speakers: Douglas Wildman, Alan Weaver. Appointment of Douglas Wildman, Seat 3, Alan Weaver, Seat 2, recommended. See File 981914. Remaining three appointments continued to call of the chair.

11/10/98, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speakers: Fannie Camille She. Appointment of Fannie Camille She, Seat 6, recommended. See File 982072. Remaining two appointments continued to call of the chair.

DIVIDED.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

982072 [Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee. (Rules Committee)

(Appointing Fannie Camille She to succeed herself. Seat 6, must be nominee of Supervisor Teng, new two year term ending July 15, 2000.)

Prepared in committee as a resolution.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

982022 [Appointment]

Hearing to consider appointing member to the Maternal Child Adolescent Health Board. (Rules Committee)

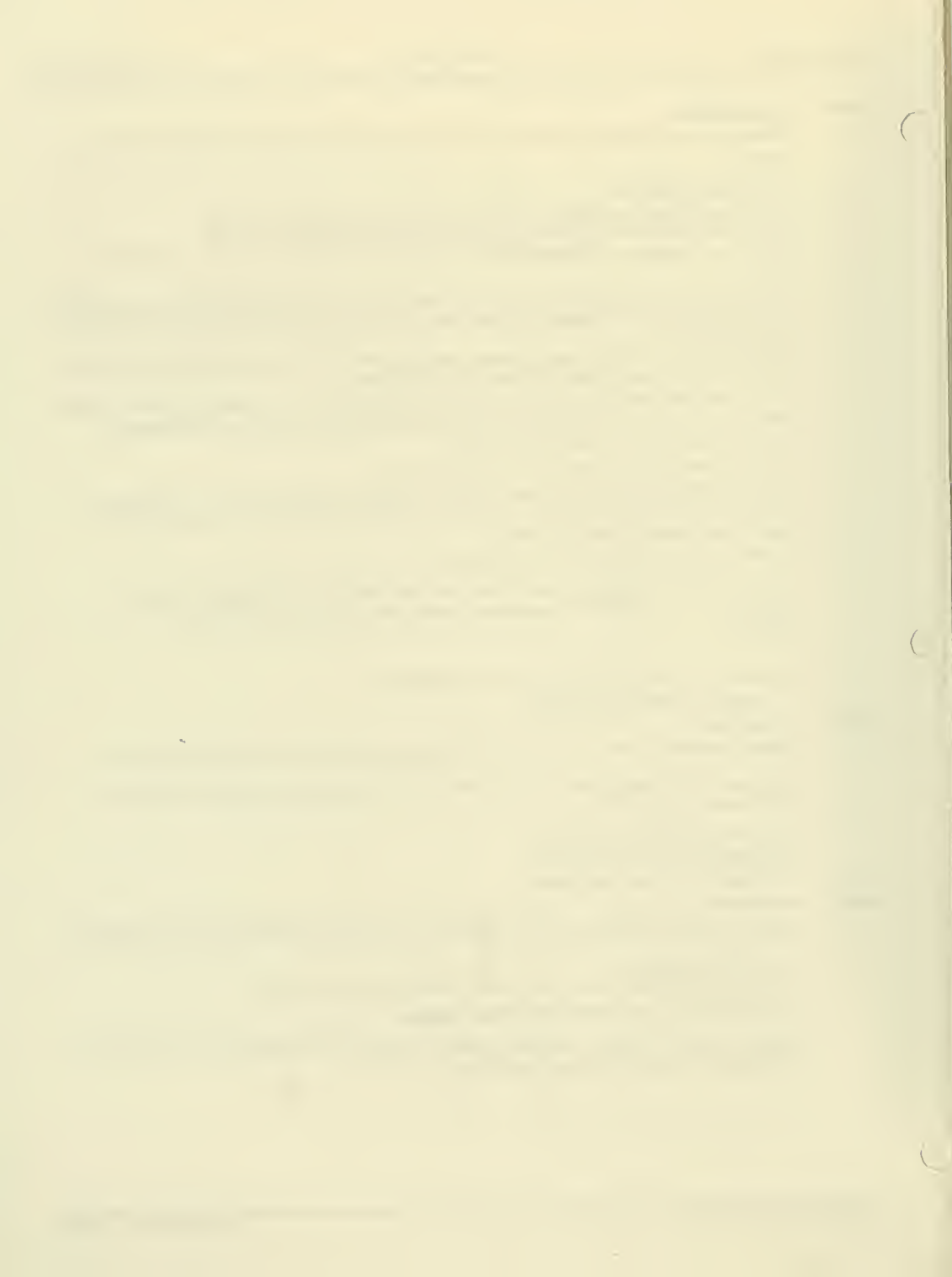
1 Seat Being Considered:

Seat 21, must be a health educator, new three year term ending, August 31, 2001.

12/7/98, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Ammiano. Appointment of Neil Gendel, Seat 21, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.



Resolution appointing member to the Maternal Child Adolescent Health Board. (Rules Committee)

(Appointing Neil Gendel to succeed Barbara Phillips, Seat 21, must be a health educator, new three year term ending, August 31,2001.)

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

REGULAR AGENDA

981745 [Sunshine Ordinance Task Force Membership] Supervisor Brown

Ordinance amending Administrative Code by amending Section 67.30 to add two members to the Sunshine Ordinance Task Force, one member being a journalist from the minority press or electronic media and one member being an additional member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government.

(Amends Section 67.30.)

10/19/98, RECEIVED AND ASSIGNED to Rules Committee.

10/27/98, CONTINUED. Heard in Committee. Speakers: Bob Planthold, Bruce Bruggman. Continued to November 24, 1998.

11/24/98, CONTINUED. Continued to December 8, 1998.

Heard in Committee. Speakers: Supervisor Brown, Louis Calabro, Salley Lahrman.

RECOMMENDED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

970001 [Neighborhood Representation, Boards/Commissions] Supervisor Ammiano

Hearing to review neighborhood representation through appointments made by the Mayor and Board of Supervisors to the various boards, commissions and advisory bodies such as Bureau of Building Inspection, Ethics Commission. Assessment Appeals Board and other bodies with direct responsibility and/or advisory capacity and to identify neighborhoods in two ways, by the 22 neighborhoods used by the Director of Elections and by the new districts approved by the voters to serve as the basis for a district election.

3/31/97, RECEIVED AND ASSIGNED to Rules Committee.

10/28/97, CONTINUED. Heard in Committee. Continued to November 12, 1997.

11/12/97, CONTINUED. Heard in Committee. Continued to December 23, 1997.

12/23/97, Meeting rescheduled to December 22; item could not legally be heard.

1/13/98, Continued to February 10, 1998.

2/10/98, Heard in Committee. Continued to June 23, 1998.

6/23/98, Heard in Committee. Continued to August 11, 1998.

8/11/98, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: John Taylor, Ollie Bryant, Bob Planthold, Edward Evans.

Heard in Committee. Speakers: Gloria Young, Supervisor Ammiano, Supervisor Yee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981469 [Non-Profit Organizations]

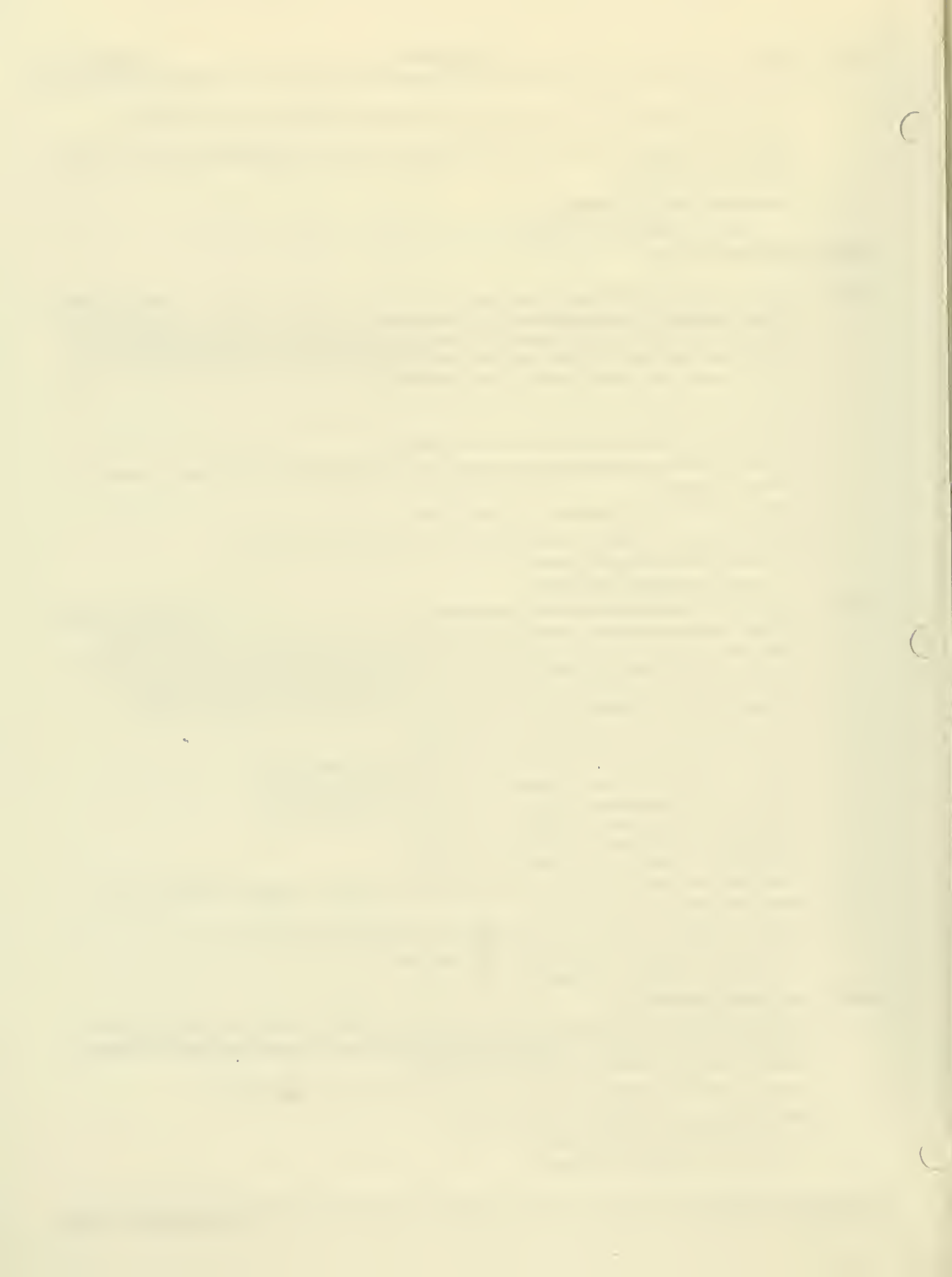
Motion amending Rules of Order of the Board of Supervisors by adding Section 2.35 regarding procedures to be used for appeals to the Board of Supervisors concerning public access to records and minutes of Board of Directors of non-profit organizations. (Clerk of the Board)

9/14/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/14/1998.

Heard in Committee. Speakers: Supervisor Ammiano.

RECOMMENDED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown



- 981263 [Grand Jury Report on Overtime]** Supervisors Yee, Ammiano
Hearing to consider the 1997-98 Civil Grand Jury Report on Overtime.
7/27/98, RECEIVED AND ASSIGNED to Rules Committee.

Continued to January 12, 1999.

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

- 981778 [Registration of Lobbyists]**
Ordinance amending Administrative Code by amending Sections 16.520 through 16.534 to: add legislative findings; clarify definitions and add new definitions; consolidate the definition of "Lobbyist" with the thresholds for qualifying as lobbyist and the exemptions; increase the qualification threshold for contract lobbyists from \$1,000 per month to \$3,200 per quarter; increase the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$3,200 per quarter; clarify and add new exemptions; clarify that once a person qualifies as a "Lobbyist" the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination; clarify the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports; provide that all lobbyists re-register on January 15 each year; require lobbyists to disclose payments received from City officers in exchange for campaign consulting services; limit the aggregate value of gifts from lobbyists to each City officer, within three months of a lobbyist contact, to \$50; and require lobbyists to notify City officers of the value of gifts conferred. (Ethics Commission)

(Amends Sections 16.520 through 16.534.)

10/21/98, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/25/1998.

Continued to January 12, 1999

CONTINUED by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

- 981060 [Gathering Signatures in Public Right-of-Way]** Supervisor Yee
Hearing to consider the ability of individuals who are gathering signatures for the purpose of placing voter initiatives on upcoming ballots to gather these signatures in the public right-of-way
6/22/98, RECEIVED AND ASSIGNED to Rules Committee.
8/11/98, CONTINUED. Speakers: None. Continued to September 22, 1998.
9/22/98, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speakers: Ted Lakey, Supervisor Yee, Claire Sylvia.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

LITIGATION

This Committee of the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(a) to discuss proposed settlements of the lawsuits listed below, these lawsuits involving the City and County of San Francisco. This motion would be made on the basis that discussion in open session of these proposed settlements would prejudice the position of the City in these lawsuits.

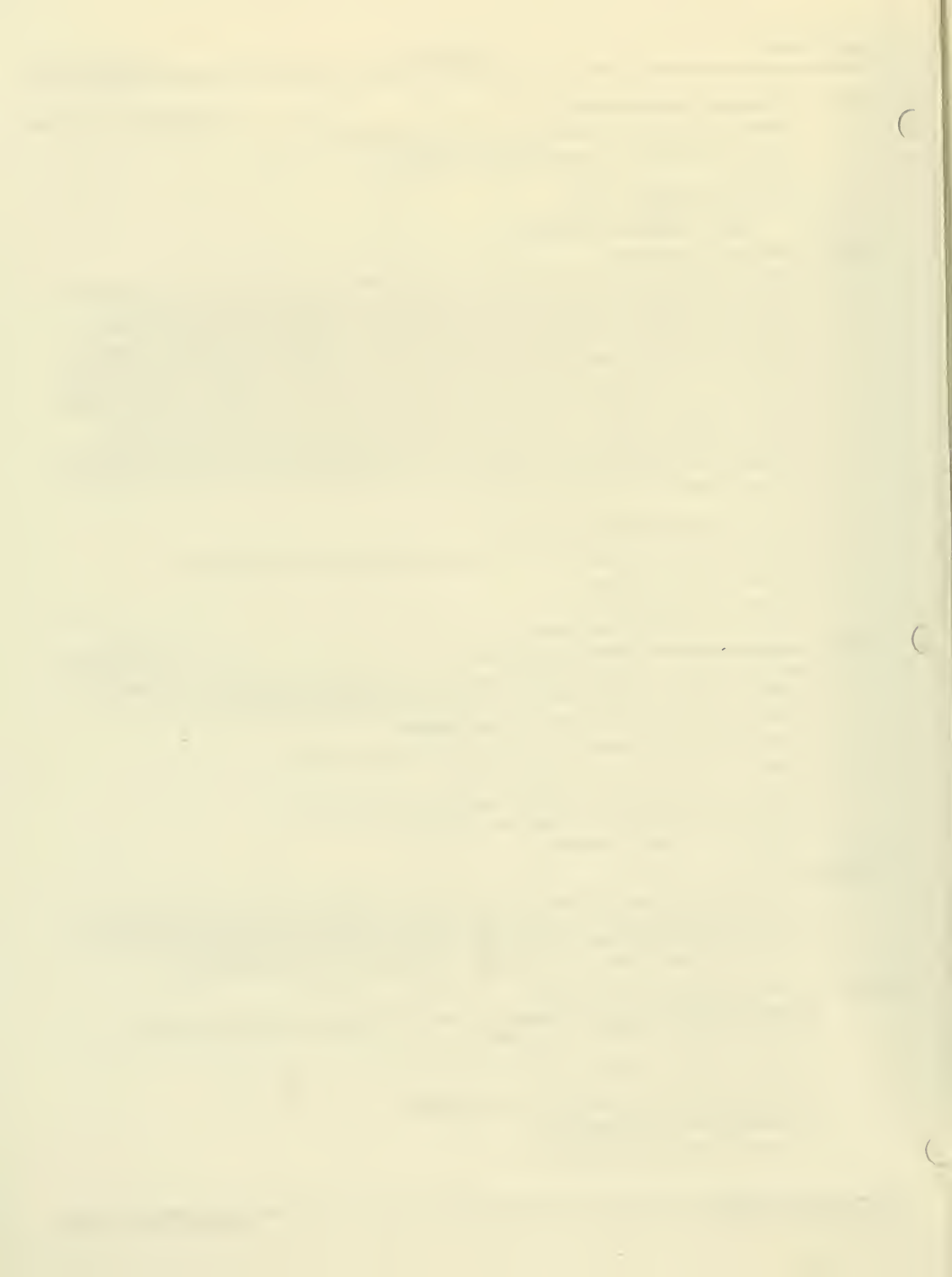
- 981954 [Teresita Crooms, et al. v. CCSF, et al.]**
Ordinance authorizing settlement of litigation of Teresita Crooms against the City and County of San Francisco by payment of \$35,000. (City Attorney)

(S.F. Superior Court No. 977-940.)

11/18/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown



981957 [James Chin v. CCSF, et al]

Ordinance authorizing settlement of litigation of James Chin and the City and County of San Francisco, San Francisco Fire Department, et al. by payment of \$225,000. (City Attorney)

(S.F. Superior Court No. 990-935.)

11/18/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981959 [Unlitigated Claims, Susan Wiginton/Kerry Robishaw v. CCSF, et al.]

Ordinance authorizing settlement of the unlitigated claim of Susan L. Wiginton against the City and County of San Francisco for \$250,000; and settlement of the unlitigated claim of Kerry Robishaw against the City and County of San Francisco for \$175,000. (City Attorney)

11/18/98, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

981960 [Stolte v. CCSF, et al., Cross-Complaint Against Vanir Construction Management]

Ordinance authorizing settlement of litigation of the City and County of San Francisco against Vanir Construction Management, Inc. by payment to the City and County of San Francisco of \$260,000. (City Attorney)

(S.F. Superior Court Action No. 976083.)

11/18/98, RECEIVED AND ASSIGNED to Rules Committee.

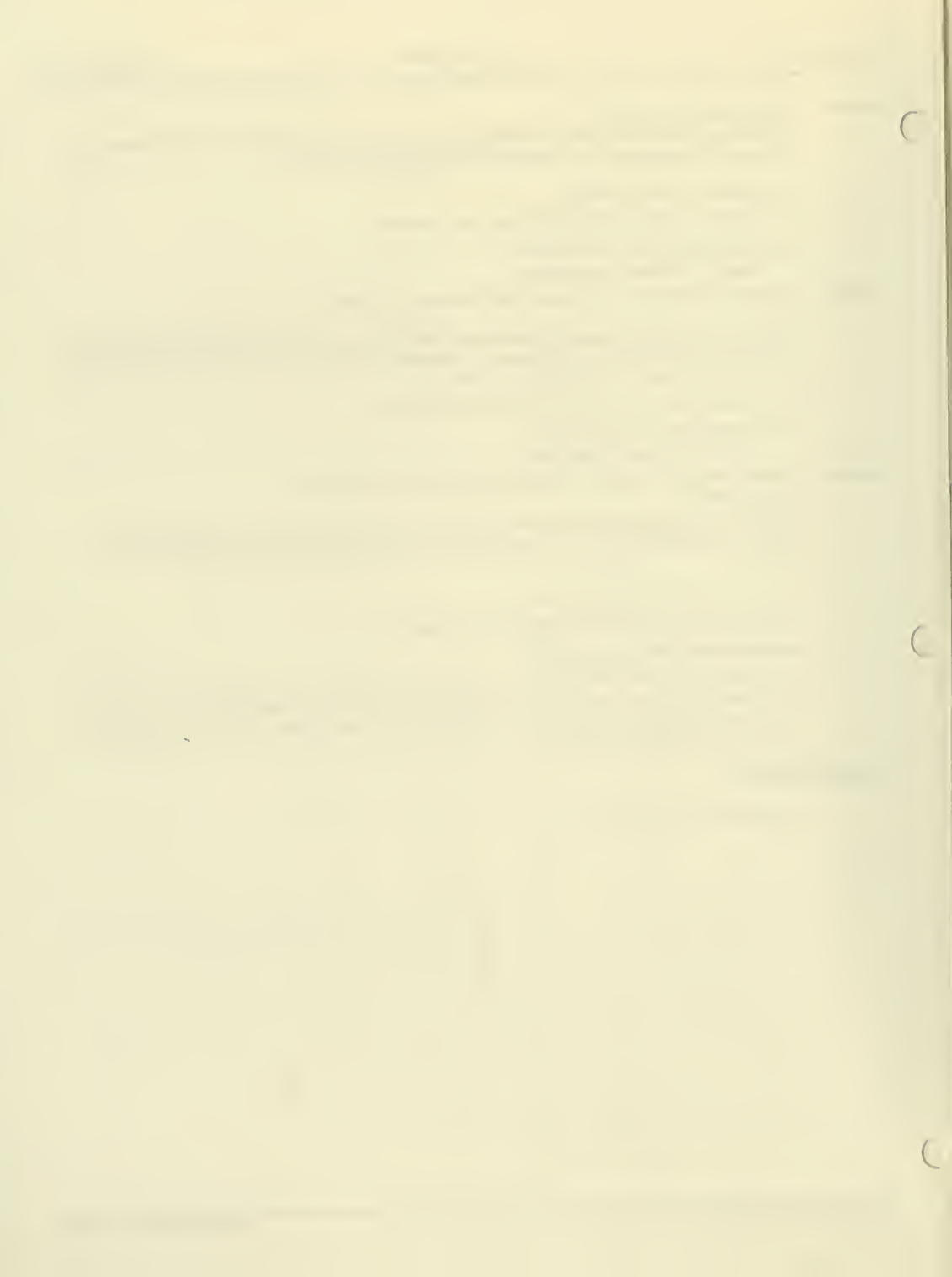
RECOMMENDED.. by the following vote:

Ayes: 3 - Ammiano, Yee, Brown

This Committee of the Board of Supervisors may find that it is in the best interests of the City not to disclose any information revealed in its closed session deliberations in the above items at this time and may move not to disclose any information at this time.

ADJOURNMENT

Meeting adjourned at 11:20 a.m.



BOARD of SUPERVISORS



401 Van Ness Avenue, Room 308
San Francisco 94102-4532
Tel. No. 554-5184
TDD No. 554-5227

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S90.84

#1

12/22/98

Cancelled

NOTICE OF CANCELLED MEETING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN That the regularly scheduled Rules Committee meeting of December 22, 1998, has been cancelled. The next regularly scheduled Rules Committee meeting will be held on Tuesday, January 12, 1999, at 10:00 a.m., 1 Dr. Carlton B. Goodlett Place, Room 263, San Francisco, California.

A handwritten signature in cursive script, reading "Gloria L. Young".

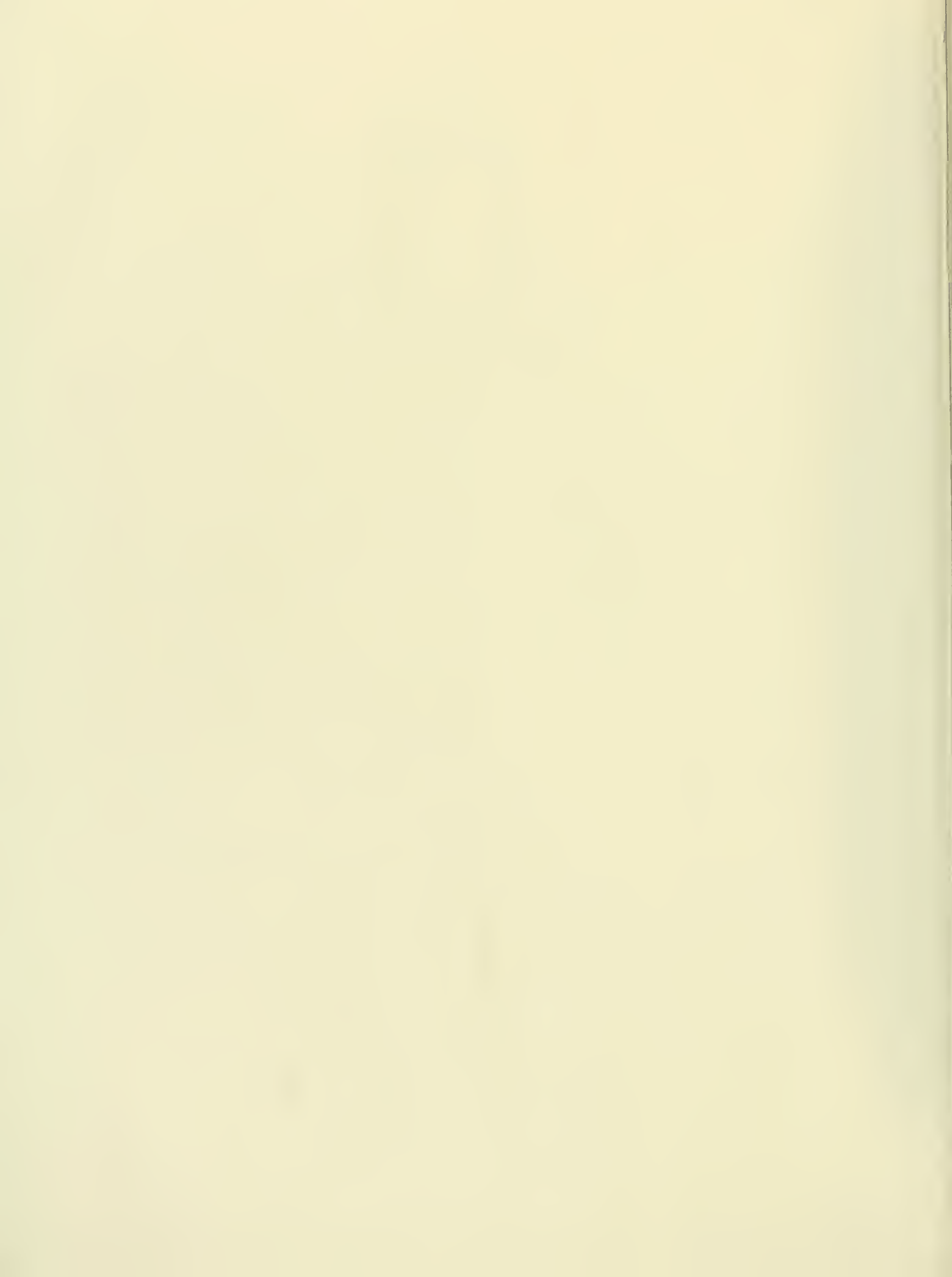
Gloria L. Young
Clerk of the Board



THE
OFFICE OF THE
SECRETARY OF THE
TREASURY

UNITED STATES OF AMERICA
WASHINGTON, D. C.
JANUARY 1, 1900

TO THE
HONORABLE
MEMBERS OF THE
HOUSE OF REPRESENTATIVES



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